PROCEEDINGS

OF THE

1897

THIRD SESSION

OF THE

TWENTY-THIRD LEGISLATURE

PROVINCE OF ONTARIO

Hon- (Rev.) M. C. Davies, Speaker

Volume XXXV

Wednesday, March 21st.1951

And the House having met.

Prayers.

MR. SPEAKER: Presenting petitions.

Reading and receiving petitions.

Presenting reports by Committees.

MR. J.D. McPHEE (Simcoe East): Mr. Speaker, I beg leave to present the Report of the Standing Committee on Municipal Law and move its adoption.

CLERK ASSISTANT: "The the Honourable The Legislative Assembly of the Province of Ontario:

"Honourable Members:

Your Standing Committee on Municipal Law begs leave to present the following as its Report:-

Your Committee begs to report the following Bills without amendment:

Bill No. 122 - An Act to amend The Public Utilities Act.

Bill No. 123 - An Act to amend The Local Improvement Act.

Bill No. 124 - An Act to amend The Department o of Municipal Affairs Act.

Bill No. 125 - An Act to amend The Vital Statistics Act.

Your Committee begs to report the following Bills with certain amendments:

Bill No. 92 - An Act to amend the Factory, Shop and Office Building Act.

Bill No.126 - And Act to amend The Assessment Act.

Bill No. 127 - An Act to amend The Municipal Act.

All of which is respectfully submitted.

Toronto, March 21st, 1951.

J.D. McPhee"

Motion agreed to.

MR. SPEAKER: Motions.

Introduction of Bills.

REGULATION OF LEASEHOLDS

Hon. DANA PORTER (Attorney General): Mr. Speaker, I move, seconded by Mr. Dunbar, that leave be given to introduce a Bill intituled "An Act to Provide for the Regulation of Leaseholds", and that the same be now read a first time.

MR. J.B. JOLLIFFE (Leader of the Opposition): Mr. Speaker, this is, of course, a rent control Bill. I do not think the hon. Minister (Mr. Porter) has given notice thereof, but, in the circumstances, I think we had better consent.

Hon. LESLIE M. FROST (Prime Minister): Yes; the notice is there.

MR. PORTER: The notice is there. The notice has been on the Order Paper for a long time respecting the Leaseholds Regulation Act.

MR. JOLLIFFE: All right; I stand corrected.

Motion agreed to; first reading of the Bill.

MR. PORTER: Mr. Speaker, the necessity of this B ill is the result of the decision of the Federal Government to discontinue rent controls on April 30th, 1951. The system

of rent controls in existence at the present time was introduced during the Second World War in the year 1942 under the War Measures Act. It formed part of a comprehensive system of controls which the Federal Government considered necessary to meet the special conditions of a war time economy. Pursuant to the powers contained in that Act the Wartime Prices and Trade Board passed and administered an elaborate set of regulations applicable to the whole of the Dominion of Canada. When the Second World War came to an end these controls continued. As the country gradually once again moved towards a normal peace-time economy most of the controls on other goods and the controls on prices were relaxed and abandoned. The rent controls, however, were continued because of the special nature of the problem. Where a shortage of housing accommodation has existed for a considerable period and the pressure for more accommodation increases, the limitations upon the building of houses during a war period present grave and complex economic problems. The solution adopted during the last War to meet the situation was this system of controls. With all its weaknesses and defects it is doubtful whether any alternative measure would have rendered any better service.

The building of new houses on a large scale is a comparatively slow process. Therefore, the easing of the housing shortage required several years of building. Consequently, the Federal Government maintained the rent controls and introduced successive measures of de-control with the ultimate intention of restoring to the natural action of the law of supply and demand the determination of rent levels throughout the country. The question as to the power of the

Federal Parliament to continue rent controls after the War emergency had come to an end, with the purpose of de-controlling in this manner, was argued before the Supreme Court of Canada in January, 1950. The Court held that it was within the powers of the Federal Parliament to continue rent controls accordingly and consequently, these controls have been continued to the present time, subject to the announcement of the Federal Government to abandon them at the end of next month.

It is the opinion of this government that in many parts of the province of Ontario conditions arising during the last World War affecting the shortage of rental accommodation are still apparent. An additional factor, however, has intervened. During the last eight months the country has been faced with the new threats of war and the Federal Parliament have taken steps towards large-scale war production and defence preparations which have again accentuated the housing shortage. Limited supplies of materials for the further building of new houses and tendency towards attracting even greater populations into the industrial centres, are the obvious conditions with which we are faced.

Taking all these factors into consideration this government has come to the conclusion that rent controls in some form are still necessary and may continue to be required for some time if widespread hardship is to be prevented. Therefore, the government has decided to introduce this Bill to provide for a provincial system of rent controls.

Many problems have emerged under the rent control system now in force. There appear to have developed several types of inequity - in some cases as affecting the tenant but also in many cases as affecting the landlord. These

problems must be faced and steps taken to adjust the regulations in a fair and equitable manner to all parties. It is not possible, however, for this government suddenly to enter this field without the departmental experience of the past few years to assist in framing new decisions. The only practicable way of dealing with the whole question in the first instance is to take over the whole system as it exists and applies to the province of Ontario - both the regulations and the remaining staff and to make the existing regulations applicable as if they had been passed under provincial authority. Once this is accomplished it will be possible to consider all aspects of the present system in its broadest perspective and to make the necessary adjustments from time to time that will, as far as possible, do justice to all the parties concerned, because the government is fully aware that there are very many cases of various types where the present system results in real hardship to landlords and likewise in other cases there is still hardship to certain classes of tenants.

I am sure that the House will appreciate the difficulty of this undertaking and the complex nature of the decisions that will have to be reached. I do not think that a fair rental can be set by any statutory formula that would be equally applicable throughout the province with all its varying economic conditions and standards of real estate values. When we consider the many factors that go to make up rent in general a fair and equitable formula might seem almost impossible to devise. We are, therefore, facing the necessity of constant and continuous review of the Leasehold Regulations as they exist and as they may be amended and adjusted from time to time and, indeed, of the whole

administrative system applicable to rent controls. We may well find that a certain set of regulations may work very well in some areas but be totally unsuitable and inadequate in some others. We must be free and ready and vested with the power to deal with all these situations as they may arise. But the House will also appreciate that this is a matter which affects the lives and interests of the constituents of each of our members, no matter to what political party he may belong. The government thinks it would be highly desirable to have some way of keeping in touch with the views of the members of this House in a regular way between this session and the next and to obtain as much guidance and information as possible that will assist in making the whole system of rent controls reasonably equitable and workable. We are, therefore, prepared to accept the suggestion that has already been made in this House from the hon. member from London that a Select Committee be appointed, empowered to sit when the House is not in Session, to review all the regulations presently in force and to make recommendations as to alterations, changes or new regulations. It is also our intention, in any event, to appoint a Committee representative of the Judiciary (a Judge to be the Chairman), the municipal property owner and the tenant point of view, to keep the regulations when they are brought up to date constantly under review so that they may always be kept up to date in the light of changing conditions as they may appear from time to time. In this way, we would expect to keep in touch as closely as possible with the special problems of different areas of the province in our constituencies and have available the considered viewpoint of the different and possibly conflicting interests involved. In this manner

the government would have the advantage of every shade of opinion and information of every type of problem that might be involved in a system of provincial rent controls.

It is, therefore, the purpose of this Bill to apply the Wartime Leasehold Regulations to the province of Ontario under the provincial authority so that their effect shall not discontinue or even temporarily be broken when the Federal system expires. The Bill also provides for the fullest powers to the Lieutenant-Governor in Council to deal with them in the fullest possible way, to amend and to adjust these regulations to meet conditions as we see them from time to time. The regulating power of the Lieutenant-Governor in Council, as provided for in the Bill, is for the purpose of allowing matters of rentals and tenure to be dealt with and adjusted in a fair and equitable manner to all parties.

ACTIVE SERVICE ELECTION ACT, 1951

Hon. DANA PORTER (Attorney General): Mr. Speaker, I move, seconded by Mr. Dunbar, that leave be given to introduce a Bill intituled "The Active Service Election Act, 1951", and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

Mr. PORTER: Mr. Speaker, the House will recall that there have been introduced an Election Act and a Voters' Lists Act which have been referred to the Committee on Elections and which have been under consideration there. Under present conditions it is considered advisable to introduce once again a Bill which will provide for the voting of persons on active service, whether they may be abroad or stationed in any other province, or, indeed, in military

and airforce camps of one kind and another in the province of Ontario, itself. The principle of this Bill, in order to meet that situation, is similar to that contained in the Bill of 1945 and gives power of regulation to the Chief Election Officer with the approval of the Lieutenant Governor in Council to deal with this matter in a similar way the Bill of 1945 did.

I propose that this Bill should be referred to the Election Committee and that it can be considered along with the other B ills at the next meeting of that Committee.

ESCHEATS ACT

Hon. DANA PORTER (Attorney General): Mr. Speaker, I move, seconded by Mr. Dunbar, that leave be given to introduce a Bill intituled "An Act to amend the Escheats Act", and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

MR. PORTER: Mr. Speaker, this Bill is complementary to the Bill which will be introduced by the hon. Minister of Mines (Mr. Gemmell) and which he will explain in connection with lands as defined by The Mining Act which have become forfeited to the province. If necessary the hon. Minister (Mr. Gemmell) will explain the principle of that Bill.

THE LAW SOCIETY ACT

Hon. DANA PORTER (Attorney General): Mr. Speaker, I move, seconded by Mr. Dunbar, that leave be given to introduce a Bill intituled "An Act to amend the Law Society Act", and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

MR. PORTER: Mr. Speaker, the hon. members of the House may be aware that The Law Society of Upper Canada

has recently decided to introduce a system of provision for legal services for people who cannot afford to pay the costs which might be involved in litigation in which they become party.

The Law Society has requested that this Bill be passed to make possible the plan which they have underway and to deal with certain technical aspects of it, into which I will not go in any great detail at the moment. The matters concerned are not of very far-reaching importance. It supplements the scheme they have to offer.

THE MINING ACT

Hon. W.S. GEMMELL (Minister of Mines): Mr. Speaker, I move, seconded by Mr. Cecile, that leave be given to introduce a Bill intituled "An Act to amend the Mining Act", and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

MR. GEMMELL: Mr. Speaker, up to this time where mining lands were acquired by the Crown under The Companies Act, they were handled by the Public Trustee. It was difficult for him to handle them. Under this Bill such lands will now be dealt with The Department of Mines instead of by the Public Trustee.

THE COMMUNITY CENTRES ACT

Hon. T.L. KENNEDY (Minister of Agriculture): Mr. Speaker, I beg to move, seconded by Mr. Daley, that leave be given to introduce a Bill intituled "An Act to amend The Community Centres Act" and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

MR. KENNEDY: Mr. Speaker, in passing The Community Centres Act of two years ago we left out that swimming pools

which were not on athletic fields would get a grant. We intended that all swimming pools in the province should get a grant but the Act, as interpreted, said that the swimming pools had to be on athletic fields. This makes provision for a grant with respect to swimming pools owned by a township, a school board, even if separated from athletic fields.

THE REGISTRATION OF NURSES

Hon. M. PHILLIPS (Minister of Health): Mr. Speaker, I move, seconded by Mr. Foote, that leave be given to introduce a Bill intituled "An Act Reppecting The Registration of Nurses" and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

MR. PHILLIPS: Mr. Speaker, under this proposed new Act the powers and duties with respect to the training and registration of nurses now exercised by the Department of Health are transferred to the Registered Nurses Association of Ontario. The exercise of these powers and duties is at all times subject to the approval of the Lieutenant Governor.

THE NURSES ACT

Hon. M. PHILLIPS (Minister of Health): Mr. Speaker, I move, seconded by Mr. Foote, that leave be given to introduce a Bill intituled "An Act Respecting The Nurses Act" and that the same be now read a first time.

Motion agreed to; first reading of the Bill.

MR. PHILLIPS: Mr. Speaker, this proposed new Act will take the place of the present Nurses Act. It is complementary to the Act respecting the Registration of Nurses.

Hon. LESLIE M. FROST: (Prime Minister): Mr. Speaker, may I revert to Motions for a moment.

I move, seconded by Mr. Doucett, that when this House adjourns the present sitting thereof it shall stand adjourned over the Easter weekend and will resume sitting at two of the clock in the afternoon of Tuesday, March 27, 1951.

I hope you all have a very happy Easter.

MR. MacLEOD: The same to you.

Motion agreed to.

MR. F.R. OLIVER (Grey South): Might I ask the hon. Prime Minister (Mr. Frost), is there legislation coming down relative to the telephone situation?

MR. FROST: Yes.

(TAKE "B" FOLLOWS)

MR. FROST: Mr. Speaker, I beg to table answers to questions 52, 69, 72, 91, 246, 247, 254, 196, 251, 252 and 257. I may say I stayed awake all night last night getting these answers ready.

SOME hon. MEMBERS: Oh, oh.

MR. SPEAKER: Orders of the Day.

MR. J.G. WHITE (Kenora): Mr. Speaker, before the Orders of the Day I would like to bring to the attention of the House a matter which I consider very important in relation to the conservation of wild life in this province.

The hon. members will recall that at the last session of the Legislature an amendment to the Game and Fish Act was introduced, whereby hunting was permitted under the direction of the District Forester. I want to read a radiogram received by the Department of Lands and Forests. Incidentally, I may say I was speaking to the hon. Minister of Lands and Forests (Mr. Scott) after luncheon today, and he showed me the radiogram, and I thought it was so important it should be brought to the attention of the House.

The radiogram is signed by Mr. C.L. Perrie, Superintendent of Fish and Wild Life at Sioux Lookout, and is dated the 19th of March, 1951, and reads as follows:

> "Party of six south Dakota USA Wolf hunters with three small planes hunting from Sioux Lookout have to date presented 70 timber wolf pelts for bounty. Hunting has ranged from March fourth with high kill of 11 wolves one day. Area covered approximately 100 miles square being from

eagle to stormy lakes on south to Nine and North LacSeul Lakes on North all within Kenora judicial district. These 70 wolves includes the twenty two reported previously and hunters remaining for more hunting."

Mr. Speaker, I think that is very important. It shows that the legislation we passed here has had the effect we desired, and that the wolves are being killed, and, at the same time, it brings parties of tourists into our areas into the north country, which is going to have the effect of bringing in more revenue from that particular industry.

Hon. LESLIE M. FROST (Prime Minister); Third readings.

MR. WILLIAM DENNISON (St. David): Mr. Speaker, I wonder, before the Orders of the Day, if I might inform the hon. Minister of Municipal Affairs (Mr. Dunbar) that I would like to get an extra copy of Hansard for March 12th and March 13th, and if I may ask him for his copies for those two days.

SOME hon. MEMBERS: Oh, oh.

Hon. GEORGE H. DUNBAR (Minister of Municipal Affairs): You can have mine any time, because I never look at it. I do not speak from Hansard; I give up to-date information.

Hon. LESLIE M. FROST (Prime Minister): Third readings. Order No. 1.

THE BOILERS AND PRESSURE VESSELS ACT, 1951

CLERK OF THE HOUSE: First Order, third reading of Bill No. 80, "The Boilers and Pressure Vessels Act, 1951", Mr. Daley.

Hon. CHARLES DALEY (Minister of Labour): Mr. Speaker,

I move third reading of Bill No. 80.

Motion agreed to; third reading of Bill No. 80.

MR. SPEAKER: Resolved that the Bill do now pass and be intituled as in the motion.

Hon. LESLIE M. FROST (Prime Minister): Order No. 2.

THE RACING COMMISSION ACT

CLERK OF THE HOUSE: Second Order, third reading of Bill No. 37, " An Act to amend The Racing Commission Act", Mr. Frost.

Hon. LESLIE M. FROST (Prime Minister): Mr. Speaker, I move third reading of Bill No. 37, "An Act to amend The Racing Commission Act".

Motion agreed to; third reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be intituled as in the motion.

Hon. LESLIE M. FROST (Prime Minister): Third Order.

THE POWER COMMISSION ACT

CLERK OF THE HOUSE: Third Order, third reading of Bill No. 117, "An Act to amend The Power Commission Act", Mr. Challies.

MR. WILLIAM DENNISON (St. David): I want to ask the hon. Minister (Mr. Challies) about a matter which I think would be of importance in connection with this Bill about the development at Niagara. When we developed that area after the First World War, the raw earth and material dug out of the canal was dumped into a certain area. It was never

graded or leveled off, or landscaped, and it cannot be used for anything.

In this case, could we not make some improvement so that the dump we will have for taking care of the earth and rock can be landscaped, and planted with trees, and become an asset instead of an eye-sore, as happened in the last case.

MR. FROST: It happens to be covered by the next Bill.

Motion agreed to; third reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be intituled as in the motion.

Hon. LESLIE M. FROST (Prime Minister): Order No. 4.

THE DEVELOPMENT OF POWER ON THE NIAGARA RIVER

CLERK OF THE HOUSE: Fourth Order, third reading of Bill No. 118, "An Act to facilitate The Development of Power on the Niagara River", Mr. Challies.

Hon. GEORGE H. CHALLIES (Minister without Portfolio): Mr. Speaker, I beg to move third reading of Bill No. 118.

Motion agreed to; third reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be intituled as in the motion.

Hon. LESLIE M. FROST (Prime Minister): Order No. 5.

THE MILK CONTROL ACT

CLERK OF THE HOUSE: Fifth Order, third reading of Bill No. 129, "An Act to amend The Milk Control Act", Mr. Kennedy.

Hon

Hon. T.L. KENNEDY (Minister of Agridulture): Mr. Speaker, I move third reading of Bill No. 129, "An Act to amend the Milk Control Act".

MR. E.B. JOLLIFFE (Leader of the Opposition): Mr. Speaker, I have no desire to delay the passage of this Bill. We regard the Bill as a good Bill, and I think it has the support of all groups in this House.

However, there have been, since yesterday, one or two developments which do affect this Bill, and affect the jurisdiction of this House.

I would draw your attention, Mr. Speaker, and the attention of the House to a report which appeared in today's press, with reference to the alleged plans of the newly constituted Milk Control Board, which is to come into existence when assent is given to this Bill.

I have before me a copy of this afternoon's Toronto Star, which some hon. members may have seen, and some may have not. The report appearing on page 1 of the Toronto Star has this to say today --

(PAGE B-6 FOLLOWS)

" The price of milk in Toronto will be raised one cent a quart, to 21 cents, by the new Ontario milk board today, but a strike of milk drivers and dairy workers may still be called tonight.

Want $3 Raise Retroactive

The 'McCallum plan' to avert a strike by an interim price increase, which would permit the dairies to pay a $3-a-week pay increase, has already been approved by tne milk board at a secret meeting, it was learned authoritatively at Queen's Park today.

But Tom Lees, vice-president of the union, said this might not avert the threatened walk-out of 1,700 workers at 7 p.m. 'The men want the increase made retroactive to Oct. 1', he said. 'Unless that is assured today, the strike may go on'.

When the newly constituted milk control board meets today at 3 p.m., it will confirm formally a decision reached secretly in a two-hour session at Queen's Park last night.

Board Acts Ere Appointment

Members of the board met with Hon. T.L. Kennedy, minister of agriculture, and threshed out the Toronto milk crisis even though they have as yet no legal power to set prices. The legislature today will rush through a bill giving them that authority. Mayor McCallum took part in the conference as consumer representative to the board, his appointment

having been confirmed officially only a few hours earlier by cabinet order-in-council.

With the one-cent increase assured but necessarily secret, the mayor rushed to the Church St. labor temple where 800 members of the Milk Drivers and Dairy Employees union were meeting and made a dramatic appeal for a '24-hour hoist" of strike action.

Had the plea failed, 1,700 employees of all major dairies in Greater Toronto would have gone out this morning.

The milk board is expected to announce its cancellation of the government's 20-cent 'freeze' by 4 p.m. today. D.J.Buchanan, president of the union, has stated that unless the board grants the one-cent increase, the workers will go on strike at 7 o'clock tonight."

(PAGE B-8 FOLLOWS)

I do not think it is necessary for me to continue reading the Report, which continues at some length. A report which in part is similar in effect to the Star Report, has also appeared in The Evening Telegram.

I do think, it is necessary for me to make one or two comments on this report. I would say, first of all, if the report is not correct, that would be a deplorable fact. I should say, further, that if the report is correct, it would be equally deplorable.

I now want to refer to the Act as amended by this Bill, and the provision which is to be found in Section 2, which will become a part of Section 5 of the Milk Control Act, wherein we find:

> "The Board may .... after public hearings, prescribe maximum prices at which milk may be sold by retail in any market"

and you will note, "after public hearings". I am aware that the Bill before the House is not yet law, and will not become law until it receives assent; notwithstanding the fact that the Milk Control Board was in being under the old Milk Act. Mayor McCallum was apparently added to its number -- quite legally -- by his appointment yesterday, and the effect of the report if it is correct, is that The Milk Control Board which did exist legally under the old Control Milk Act, or the present Act, had a secret meeting yesterday, at which it prejudged an issue which cannot be heard until a public hearing this afternoon.

MR. FROST: All that is quite incorrect. There is nothing to that at all.

MR. JOLLIFFE: It may not be technically contrary to law. But if the report was correct, it would be a flagrant violation of the spirit of the Legislation which is now going through the House, because it has been the spirit, intent and purpose of this Bill, which was emphasized by the hon. Minister (Mr. Kennedy) when he spoke on the Bill at second reading, that these matters should be determined by the Board after a public hearing.

I want to go further than that. The new Milk Control Board I hope and trust will deal with applications on their merits, and not in the light of the fact that anybody is going to authorize a strike, --

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: -- or that anybody is going to withhold a service to the public.

Furthermore, I make this suggestion, Mr. Speaker, because it is the only conclusion which can be drawn from the Bill before the House, that is that when any of the interested parties, such as the distributors in this case, go before the Board, with an application for a change in price from the price which existed on May 1st, 1951, then the burden of proof should be upon the applicant to satisfy the Board that that is the decision which ought to be made.

MR. KENNEDY: That is right.

MR. JOLLIFFE: It is up to the distributors to prove their case on the merits, and I wish the distributors would not rely so little on figures, and so much on the threat of a strike, because that is all we have heard, unless they get an extra one cent, there

will be a strike. What they should say to the Milk Board is that the price on March 1st is not sufficient for them to do what they should do.

It is not for me to say what the decision should be, nor for me to argue one way or the other with the decision of any conciliation Board, although my private opinion may be that the companies, in the position of these distributors, probably would be wise to accept the majority report of the Conciliation Board. The majority report of the Conciliation Board may do one thing, and it may cost them some money -- of course it will. The increase in cost to them may be obvious, and the fact that there may be a strike tomorrow may also be quite obvious, but whether or not they are entitled to an increase is something they should prove before the Milk Board, but they should do it today, and not last night.

I do not know whether a meeting was held last night, or what was decided upon, but if no meeting was held last night, or if no decision was reached, then somebody has been talking without authority, and making irresponsible statements which should not have been made, particularly while this Bill is before the House.

I think this matter is of some importance, because it affects not only the city of Toronto. There will be future occasions on which more distributors, and perhaps others, will appear before the Board, and if the Board is going to do a good job, and the public is to be satisfied, then there should be no fixed decisions, no decisions and no arrangements made in advance before a public hearing. I think that is most

important. I think it is most deplorable that the Mayor of Toronto, or whoever is responsible, should spread it abroad that an increase will be made effective, notwithstanding the Bill which is not yet law, and notwithstanding the fact that there has been no public hearing. I think the House has done a very good job on this Bill, and I will give credit to the government to this extent, that the government did not, when the Bill was introduced, commit itself to a permanent price freeze. That impression was spread abroad not by the government, but by some of the people who are over anxious to give the government publicity which they hope will redound to the credit of the government.

The government constituted a tribunal for the purpose of holding hearings, securing information, and then making decisions, and that has still to be done. The only freeze which appeared in the Bill was that the status quo should remain unchanged until a decision could be rendered.

I will not argue the proposal for an interim increase. I have no doubt it will be demanded today, I would not be so concerned about an interim increase, if I were not aware of what happened in Belleville, and I have a suggestion to make to the hon. Minister of Agriculture (Mr. Kennedy). He sent an auditor in -- it was not a matter under the law for the Milk Control Board to decide, because this Bill had not been introduced, or was not even expected. He sent an auditor in, and the result has been a reduction of one cent a quart in the price of milk. If that can happen at Belleville -- I know the distributors will say with

one voice that it cannot happen anywhere else, but I do not believe it. My suggestion is that there are other places where you might send an auditor in, and it might assist the Milk Control Board, whatever the result may be, and let the chips fall where they may.

I suggest to the hon. Minister (Mr. Kennedy) that he send an independent auditor or auditors into the dairies in the largest milk area, namely the Toronto Market.

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: And let the result of that independent audit be made available to the Milk Board. That is information which the Board ought to have, and not be influenced in any way by the threat of the imminence of a strike in the Toronto area.

MR. KENNEDY: I agree with the remarks made by the hon. Leader of the Opposition (Mr. Jolliffe). There should be no thought of whether a strike should be held or not.

I want to emphasize to this House -- and I think my past reputation will bear this out -- that I have nothing to do with the Board; I do not interfere with the Board and the only thing was when the Board was appointed in 1934 and 1948, I emphasized to them that they do their business, and carry on their work in the spirit of the law, as the Act sets out. I want to emphasize that again. I think that is one of the reasons why I have such a loyalty in my Department, loyalty to such an immense degree, because I give each departmental head its authority to act, and when he

acts, I stand behind him.

I remember one interesting thing, Mr. Speaker, About 1944 one of my men made an awful "boner" about which I knew nothing. But a group of farmers came in and complained about the "boner", and I said, "Yes, gentlemen, I made a mistake, and I will correct it". Every man in my Department knows that he has certain authority, and is not afraid to do things, knowing that I will stand behind him if he gets some action. The only thing I will not forgive is for them to be afraid to do anything. That is the only unforgivable thing in my department.

(TAKE "C" FOLLOWS)

Now, this Board is set up and no pre-conceived price has been set by this Board. They will meet at 3 o'clock or very shortly after and representation has been made to them whether the price is increased or not, and as sure as I am standing here they will have to justify that increase and that Board if they are influenced by threat should not be allowed to stay as a Board.

SOME hon. MEMBERS: Hear, hear.

MR. KENNEDY: I want to say most emphatically that I did not send the auditors down there, I did not officially send the auditors down there.

MR. JOLLIFFE: You had something to do with it.

MR. KENNEDY: Well, under the Act the Board sends them down. The Ontario Milk Producers Association wrote a letter to the Board saying that the price in a certain market had gone up two cents and the farmer had only received a few cents of that 80 cents a hundred and something should be done, and they sent the auditors down there.

MR. FROST: Mr. Speaker, may I just add to what the hon. Minister of Agriculture (Mr. Kennedy) has said by telling the House that 15 minutes before this House met today I had a chat with His Honor Judge Currie, the Chairman of this Board. I asked Judge Currie to come and see me and I told Judge Currie that their Board is meeting, of course, under difficult circumstances in difficult times, but that under no circumstances or conditions should Juge Currie allow himself or his Board to deviate from giving fair play to the people of this province. In other words, the decisions that they make

are not to be decisions which are to be made with a pistol at their head by anybody or intimidation by anybody. It is there job to have wholehearings and then do justice to the best extent that they can on the evidence that is submitted to the Board. That is the job they have.

Now, Mr. Speaker, this is not my business nor the business of the government to interfere with the Board but I do think that is a logical way of prodeeding, to have the distributors go and settle with their workmen and settle with the farmers and then come to the Board with all the figures and all the cards on the table, face up.

SOME hon. MEMBERS: Hear, hear.

MR. FROST: After all, it is not the business of the Board to arrive at decisions caused only by the expediency of the circumstances. The fact is, that in a few minutes after His Honor comes in this will be the law of the land. There the prices before they are altered or raised, will be subject to review and the approval of the Board and after that approval is given, public hearings will be held and evidence given, such as the Board requires. The fact is, if we are going to be terrified and run away from a problem, because somebody says they are going to take some action, then we are not worthy to sit in this Legislature. I told His Honor Judge Currey that was the policy of the government and that was the policy we wanted him to follow.

(Page C-2 follows)

and knowing Judge Currey, and knowing the "cut of his jib" I know, Mr.Speaker, that is what will be done.

Mr.Speaker, the Lieutenant-Governor is waiting to give approval to this Bill and I would like your permission at the earliest possible moment to escort him to the Chamber. On third reading of a Bill of this sort it is not customary to engage in debate. But I think it was quite proper for the hon.Leader of the Opposition (Mr. Jolliffe) to raise his point as a matter of public interest. He might have donethat before the Orders of the Day if he had wanted to, but he chose his own time and the answer has been given and the position is quite plain. I would now ask permission to escort His Honor to the Chamber.

MR. J.B. SALSBERG (St. Andrew): Mr. Speaker, I assure you I have no intention of delaying the Bill through third reading but I would like to ask a question which I think is quite proper and that is, that an answer if possible be given to the main question raised by the hon. Leader of the Opposition (Mr.Jolliffe) which is extremely important, relative to the whole problem of the purpose of this legislation, and whether there was a meeting of this Board which has not yet been appointed, since this Bill has not yet been given assent, and whether such a secret meeting was held last night, and whether they agreed beforehand to increase the price of milk?

MR. FROST: I might say to the hon.member (Mr. Salsberg) that personally I have never met the Board. Last night.....

I asked the hon. Minister of Agriculture (Mr.Kennedy) to get the members of the Board together so I might meet them. I never met Mr. Betzler before, I never met Mr. Hart --

MR. JOLLIFFE: But you have met Hiram?

MR. FROST: Yes,I have met Mr. McCallum. The four members of the Board were there, Mr. McCallum for a short time, and I had just a general chat with the members of the Board. It was only for the purpose of my becoming acquainted with them and telling them they were "on their own." I went further than that today, I certainly told the Judge what I thought was the position the Board should take. I think it will all become very plain when the Board meets that anything of the sort mentioned by the hon. Leader of the Opposition (Mr.Jolliffe). There is nothing to that at all.

MR. SALSBERG: There was no secret meeting last night?

MR. FROST: No.

MR. SALSBERG: No agreement to increase the price of milk?

MR. FROST: No.

MR. SALSBERG: So the so-called "consumer representative of the Milk Board" was wrong.

MR. FROST: Mr. Speaker, this Board will hold public hearings.

MR. MILLARD: Mayor McCallum did not give that idea?

MR. SPEAKER: I think the discussion on this has gone

about asfar as is permissible, The hon. Leader of the Opposition (Mr.Jolliffe) raised a question and I think it has been answered. Therefore I think we must proceed with the third reading.

Motion agreed to; third reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be intituled as in the motion.

Hon. LESLIE M. FROST (Prime Minister: Mr. Speaker, may I retire and escort His Honor the Lieutenant-Governor tothe Chamber?

MR. SPEAKER: While we are able to relax for a moment I know you would want me to extend on your behalf a very cordial welcome to the Speaker of the House at Nassau, Mr. Asa Pritchard, who is with us today.

SOME hon. MEMBERS: Hear, hear.

MR. SPEAKER: They are much more fortunate in Nassau they adjourned yesterday and do not meet again until the 2nd of April. I think we might take a little lesson from that which would enable us to go to Nassau while Mr. Pritchard comes up to visit us. I know you would want me to extend to the Assembly at Nassau a very cordial greeting from the Legislative Assembly of Ontario.

The hon. the Lieutenant-Governor of the Province entered the Chamber of the Legislative Assembly, and being seated upon the Throne, Mr. Speaker addressed His Honor in the following words:

MR. SPEAKER: May it please Your Honor; the Legislative Assembly of the Province has at its present sittings thereof passed several Bills to which, in the name and on behalf of the said Legislative Assembly, I respectfully

request Your Honor's assent.

THE CLERK ASSISTANT: The following are the titles of the Bills to which Your Honor's assent is prayed:

(1) Bill No. 117, "An Act to Amend The Power Commission Act".

(2) Bill No. 118, "An Act to facilitate the Development of Power on the Niagara River.

(3) Bill No. 129, "An Act to Amend The Milk Control Act".

THE CLERK OF THE HOUSE: In His Majesty's name, His Honor, the Lieutenant-Governor, doth assent to these Bills.

His Honor was then pleased to retire.

Hon. LESLIE M. FROST (Prime Minister): Mr. Speaker, I move that you do now leave the Chair and the House resolves itself into a Committee of the Whole.

Motion agreed to.

House in Committee (Mr. Stewart in the Chair).

Hon. LESLIE M. FROST (Prime Minister): Order No. 20.

THE HIGH SCHOOLS ACT

CLERK OF THE HOUSE: Twentieth Order, House in Committee on Bill No. 100, "An Act to amend The High Schools Act".

Hon. LESLIE M. FROST (Prime Minister): May I say, Mr. Chairman, that I would like to clear off these three last Orders. I do not think there is anything verycontentious, and it will assist in keeping the Order Papers clear. After

that, Mr. Chairman, we will immediately go into Supply on the Department of Health.

Sections 1 and 2 agreed to.

On Section 3.

Hon, DANA PORTER (Minister of Education): Mr. Chairman, I move that section 3 of the Bill be struck out, and that sections 4 to 11 be renumbered as sections 3 to 10.

Motion agreed to.

Section 3, formerly No. 4 agreed to.

Section 4, formerly No. 5, agreed to.

Section 5, formerly No. 6, agreed to.

Section 6, formerly No. 7, agreed to.

Section 7, formerly No. 8, agreed to.

Section 8, formerly Section 9, agreed to.

Section 9, formerly Section 10, agreed to.

Section 10, formerly Section 11, agreed to.

Section 11 agreed to.

Bill No. 100 reported.

(TAKE "E" FOLLOWS)

(Take "D" combined with Take "C")

Hon. LESLIE M. FROST (Prime Minister): Order No. 21.

THE GAME AND FISHERIES ACT

CLERK OF THE HOUSE: 21st Order, House in Committee on Bill No. 130, "An Act to amend the Game and Fisheries Act. Mr. Scott (Peterboro).

Sections 1 to 8 inclusive agreed to.

On section 9.

MR. W. DENNISON (St.David): Mr. Chairman, I am sorry the hon. Minister (Mr. Scott) is not here, but I drew attention to the fact that there is wide disagreement as to whether this so-called buck law should be abolished. I would like to point out to the hon. Minister (Mr. Scott), or to the person guiding this through, that that restriction that a hunter should not shoot a fawn or a female deer under a cartain age, that restriction made hunders a little more careful in what they shot. When we open everything wide up and say a hunter can shoot a doe or fawn of any age, they are going to blaze away at anything they see moving, there will be no restrictions in their mind at all, and I think it will result in more hunters being shot. I think you will not only see more fawns and does shot, you will increase the large number of hunters shot every year.

I think this distinction was a good one, except I think the fine was a bad one, but it probably was not right to have a fine of a minimum of not less than $50 or not more than $200. If a man did make a mistake and shot a doe or fawn by mistake, I think probably he should have been charged a double license fee or something like that. I think we could have got around the objection which was expressed by the hon. Minister (Mr. Scott) to the buck law, namely that it resulted in certain deer being left in the bush. I think we could have got around that better than abolishing the entire buck law.

I see the hon. Minister (Mr. Scott) is now coming into his

place and I would like to again draw his attention to what I think may happen if we allow the shooting of deer of all ages indiscriminately and we remove this caution from the mind of the hunter, that he will blaze away at everything he sess approaching the color of a deer and we will have more hunters shot.

SOME hon. MEMBERS: Carried.

Section 9 agreed to.

MR. DENNISON: Well, would the hon. Minister (Mr. Scot) like to--

Sedtions 10 to 17 inclusive agreed to.

Bill No. 130 reported.

Hon. G. H. DOUCETT (Minister of Highways): Order 22.

THE PUBLIC LANDS ACT

CLERK OF THE HOUSE: 22nd Order, House in Committee on Bill No. 131, "An Act to amend the Public Lands Act." Mr. Scott (Peterboro).

Sections 1 to 3 inclusive agreed to.

MR. W. DENNISON (St. David): What is the Bill number, Mr. Chairman?

THE CHAIRMAN: 131.

Sections 4 to 6 inclusive agreed to;

Bill No. 131 reported.

MR. DOUCETT: Order No. 23.

THE HIGHWAY IMPROVEMENT ACT

CLERK OF THE HOUSE: 23rd Order, House in Committee on Bill No. 93, "An Act to amend the Highay Improvement Act." Mr. Doucett.

Sections 1 to 7 agreed to.

Bill No. 93 reported.

MR. R. A. McEWING (Wellington North): Mr. Chairman, might I just ask a question of the hon. Minister (Mr. Doucett)

regarding an item in here, the building of gas pumps. What is the regulations now as far as gas pumps that are sitting on the curb of highways. It was supposed to have been outlawed a year or two ago, I believe.

MR. DOUCETT: Mr. Chairman, I might say to the hon. member for Wellington North (Mr. McEwing) that it is the same as it has been previously. I think the Act says the change comes into effect on the 31st day of December, 1951. During the war that Act was amended on account of the inability to get pumps. We gave it a five year or seven year hoist.

MR. McEWING: Does that mean, then, that those gas pumps that are sitting on the curb all have to be off?

MR. DOUCETT: Yes, at the end of 1951.

MR. McEWING: At the end of 1951?

MR. DOUCETT: Yes. I think that is right--or January 1st, probably, 1952.

MR. McEWING: There are no exceptions?

MR. DOUCETT: No. Mr. Chairman, I move the Committee rise and report certain Bills.

Motion agreed to.

The House resumes, Mr. Speaker in the chair.

MR. H. A. STEWART (Kingston): Mr. Speaker, the Committee of the Whole House reports one Bill with amendment and three Bills without amendments, begs leave to sit again and moves the adoption of the report.

Motion agreed to.

Hon. LESLIE M. FROST (Prime Minister): Mr. Speaker, yesterday the hon. Minister for Hydro (Mr. Challies) gave on first readng an explanation of Bill no. 132, An Act respecting the agreement between Canada and Ontario relative to the development of the Niagara River. I think, Mr. Speaker, we

might advance that through second reading and into committee, where it can be discussed if there is any discussion. Therefore, may I call order No. 25.

AGREEMENT RESPECTING DEVELOPMENT OF THE NIAGARA RIVER

CLERK OF THE COURT: 25th Order, second reading of Bill no. 132, "An Act to approve an agreement between Canada and Ontario respecting the development of the Niagara River." Mr. Challies.

MR. FROST: Mr. Speaker, in the absence of Mr. Challies, I move second reading of Bill No. 132, "An Act to approve an agreement between Canada and Ontario respecting the development of the Niagara River."

Motion agreed to; second reading of the Bill.

MR. FROST: Mr. Speaker, I move you do now leave the chair and the House resolve itself into Committee of Supply.

Motion agreed to.

House in Committee of Supply, Mr. H. A. Stewart (Kingston) in the chair.

MR. FROST: The Department of Health, page 45.

Votes numbers 56 and 57 agreed to.

On vote 58.

MR. W. DENNISON (St. David): On 58, Mr. Chairman, the hon. Minister of Health (Mr. Phillips) spoke about the number of expectant mothers who are given, under Section 76 of the Public Health Act, a free medical examination upon making application on the prescribed form to a duly qualified medical practitioner, and he stated that the number of these mothers receiving that free examination has increased year by year until in 1951 there were 62,000 mothers received the examination, or 60%.

Now, since that time I have inquired of a number of

doctors and I had occasi n to write to Doctor Victor Johnson, Chairman of the General Practitioners Section, and he said that he did not wish to speak for the Association, but that it was his personal opinion on two aspects of the subject, as follows: First, he did not think that the $5 reduction actually reached the mother at all in the majority of cases; and, secondly, he believed that the average doctor was of the opinion that the forms required were too voluminous and required too much of his time, and that they were not practical.

Now the hon. Minister (Mr. Phillips) himself has in another debate in this House cast another question mark on the value of this test. This test of course includes a Wasserman test for the determination of syphilis, and the hon. Minister (Mr. Phillips) informed the House that this Wasserman test is a pretty sensitive test and actually recorded 50% more positive reactions than there actually existed disease. So that, on these grounds, I would like to ask the hon. Minister (Mr. Phillips) if it is his considered opinion that the $360,000 we are putting onto this item actually results in $360,000 worth of value to the mothers. My information is that the average doctor, not purposely or anything like that, but the average doctor has a fee for a pregnancy of maybe $40, $50 or $60, we will say; well, he does not say $40 less $5 paid by the Province of Ontario, and the person gets the bill.

MR. PHILLIPS: Well, Mr. Chairman, I would like to answer that. It is true Doctors have a blanket fee. As a matter of fact, whether an "Ob" case takes one hour, whether you spend three days on the case, or four days or even up to a week, you still charge that $50. All I have to say is that the woman is very fortunate whose case happens to be short, and it is imposible for a doctor to charge according to the number of hours spent on the case. It just would not work

out fairly. For that reason, it is practically an understood fact that doctors make what you might call a blanket charge for this.

Now regarding the $5 fee being enough to fill out these forms, an insurance form takes exactly twice or three times as long to fill out and the doctors are willing to fill them out for $5, and it is only last year I believe it was, with a few of the insurance companies, it has been raised to $6. And may I say that this form is very, very short and a doctor can fill it out just as he goes along and conscientiously examine his patient.

MR. DENNISON: Is there not still some way of reducing that form to perhaps a card which might be filed in the Department here at Toronto, so that if that mother after one childbirth in the city of Toronto, say, were to move to Oshawa, a doctor there could send down here and get that card and get the information, so that for the $5 there would be something on file which would be a continuing case history, we will say, of the case.

MR. PHILLIPS: Well, Mr. Chairman, I have been thinking very seriously of adding something to that form, and that is progress notes, We might be able to shorten certain parts of it, but I think if I found any criticism of the form at all, it is that I would add a part where progress notes would be made from month to month.

MR. R. A. McEWING (Wellington North): Mr. Chairman, I wonder could the hon. Minister (Mr. Phillips) give us an idea about how much we spent last year out of that $360,000 in that respect.

MR. PHILLIPS: $325,000.

MR. McEWING: One hundred and twenty-five?

MR. PHILLIPS: Three hundred and twenty-five.

MR. McEWING: Thank you.

Votes numbers 58 and 59 agreed to.

On vote number 60.

MR. G. B. ELLIS (Essex North): Mr. Chairman, under 60, I wonder if the hon. Minister (Mr. Phillips) could give us any indication of whether or not the province or his Department has considered the advisability of opening a nurses' training school. Probably I ought to explain--

MR. PHILLIPS: Pardon me. Opening what?

MR. ELLIS: Nurses' training schools. In connection with our Civic Hospital at Windsor, we have there a nurses' training school operated by the Provincial Nurses Association and the Red Cross primarily and I think the hon. Minister (Mr. Phillips) will understand what I mean. That school is doing a very excellent job, they are turning out nurses in a two-year course, and there is no question about it, it is a very fine school and the objective is a very fine one, too, because I believe that the shortage of nurses is just as acute today as it has been in recent years.

But the point is, this particular school is operated and paid for by the municipality and while we did not understand it at the time, nevertheless it is something that should be carried on provincially if not Federally, or at least that should be carried on jointly between the provincial and Federal Governments. So my question is, has the hon. Minister (Mr Phillips) or his Department ever given any consideration to either taking over the school at Windsor or opening a similar school somewhere else in the province? I may assure you we are not anxious to get rid of that one down there but it is a little too expensive, although we do think the work they do is very fine work and definitely the school is meeting a need in the Province of Ontario if not in the Dominion of Canada. (Take F follows)

MR. PHILLIPS: Mr. Chairman, all I have to say is that the whole question of the training of nurses is under study at the present time. What will likely come out of it is two years training plus one year of internship course. That is one of the big reasons why we brought in a grant with respect to nurses' residences. . If municipalities build fine nurses' residences that will be an inducement to our high school girls to go in and make that fine residence a home for three years, and enter the nursing profession.

This whole question is under study at the present time.

MR. McEWING: I wonder if the hon. Minister of Health (Mr. Phillips) can give us an idea as to whether the schools are participating in the dental services and whether the grants which are going towards that are increasing? There does not seem to be much change in the last ten years in the amount for school dental services. Are the schools not availing themselves of that? That is in Vote 59.

MR. PHILLIPS: Vote 59?

MR. McEWING: Yes.

MR. PHILLIPS: Mr. Chairman, I would say that we have already set up school dental services at Welland and one or two others of the county health units. We hope to set up more and more dental services. I think a great number of municipalities are waiting for the time when they can set up these dental services under a county health unit rather than to have to go out and have to provide that service themselves. However, there are a great number

of municipalities today which have dental health services in the municipalities themselves. I may say that our grant for townships and municipalities of less than 5,000 people is 30%; and in municipalities of 5,000 and over, 20%. The service is provided by either a contract system where the dentist supplies the equipment, materiel and his time, and is paid on an hourly basis, or centres may furnish a clinic and the dentist receives a regular salary. We are very anxious for this service to go on.

MR. McEWING: Thank you.

MR. FELL: I would like to say I was quite interested, Mr. Chairman, in hearing the hon. Minister (Mr. Phillips) say with respect to Vote 60 when the question was put to him with regard to nurses' schools that the entire question is now under discussion and examination.

I believe I raised this question last year under Estimates. At that time the fact was made known that there was a very serious shortage of nurses and one of the reasons why we had shortages was the fact that we were not making, perhaps, good enough strides in order to get girls to take nursing training. At the same time the question of wages for nurses was another factor which had to be considered. Those factors received great support last year. I am, as I have said, interested in hearing the hon. Minister (Mr. Phillips) say that the entire question is now under discussion and examination.

He did make one point, namely, the question of encouraging high school girls to enter the nursing profession. I think that is an excellent idea. The thought crossed my mind, as the hon. Minister (Mr. Phillips) made

the point, do we do enough to actually encourage high school girls to enter this profession? They seem eligible and of the correct age for this sort of thing. It would seem to me that if there was a profession into which we should encourage our younger girls to go, if they were not getting married and were considering a profession, this one is perhaps the profession which we should make a very sincere effort, while the girls are still in high school, to interest them in this particular subject. I do not believe a great deal has been done in that direction so far. My understanding is that the girls are left more or less to decide for themselves on the basis of whatever knowledge they may, by accident, come upon during their high school years. It would seem to me this would be a very good step towards enlarging our staff of nursing girls.

I do not think it is entirely new. The thought seems to have occured to someone else, because I noticed recently in the Press that in the city of Toronto particularly there has been some sort of counsel organization formed composed of teachers, of employers and I believe of Labour representatives, who will enter certain schools and counsel students who are about to leave, on the advisability of entering professions and industrial fields and give them some encouragement.

In line with that I would suggest that since we have a very dire need for more nurses, the hon. Minister (Mr. Phillips) might entertain some ideas -- together, perhaps, with the hon. Minister of Education (Mr. Porter) -- with respect to some programme with which we can bring home to

our high school girls the fact that there is great need in our society for more nurses and the fact that this is an honourable profession and one into which our girls should be encouraged to go. I do not know whether the hon. Minister (Mr. Phillips) has any thoughts beyond that, I would be interested to know.

MR. PHILLIPS. I might say, Mr. Chairman, that if the hon. member for Parkdale (Mr. Fell) will turn to 55, Section 1, he will find we give a grant of $5,000. A great deal of that grant is used for making provision for our trained nurses to go into collegiates and high schools, and so on, and give the girls an educational programme. They also provide a bulletin for high school girls, the object of which is to induce them to go into the profession.

MR. C.C. CALDER (London): Mr. Chairman, it is quite striking that the hon. Minister (Mr. Phillips) should be speaking from the seat of the hon. member for Hamilton-Wentworth (Mr. Kelley). Before he finishes with his Estimates I think the hon. members of this House would like to hear a progress report on the former hon. Minister's (Mr. Kelley) health.

Would the hon. Minister (Mr. Phillips) say whether the success of the fluorine experiment at Brantford is not sufficient and that we should go now a good deal further and simply subsidize the city of Brantford? Is there any possibility of extending that on a provincial basis?

MR. PHILLIPS: Regarding fluorrinnating, I was at a meeting of the Board of Governors at the Dental College only a couple of months ago. They do not want to even make

a report until next year. That report will be given at the end of the first five year period.

As you know, Mr. Chairman, we have Brantford, which city is adding fluorine to its water; we have Stratford, which is supposed to have it naturally in the water; and we have Sarnia. Up until the present time the Dental Association cannot say that the adding of fluorine is of great value. They will not make a statement for at least one more year.

Remember, there are a lot of other factors which come into the picture, such as food, milk, vitamins and what not.

MR. W.L. HOUCK (Niagara Falls): Mr. Chairman, refering back to the dental health clinic might I ask the hon. Minister (Mr. Phillips) if a

particular municipality does not sponsor any sort of clinic, but within that municipality a clinic is sponsored by a local service club, like the Lion or Rotary Club, do you contribute anything to that clinic?

MR. PHILLIPS: Pardon? I did not hear the question by the hon. member for Niagara Falls (Mr. Houck).

MR. HOUCK: In a municipality where they do not have a clinic sponsored by the municipality, itself --

in Niagara Falls, we have one sponsored by a service club -- do you contribute to that?

MR. PHILLIPS: No. It must be a municipal clinic. The reason for that is that a service club may quit tomorrow while the municipal clinic members go on and on.

Vote 60 agreed to.

On Vote 61.

MR. L.K. FELL (Parkdale): Mr. Chairman, On vote 61, I am afraid I cannot pronounce that title -- epidemiological branch -- but it looks almost big enough to include the question I want to ask the hon. Minister of Health (Mr. Phillips). It has to do, of course, with the Shute Foundation in London. I do not know how many other hon. members have been approached but, on a number of occasions in public places, I have been approached by various people who have suggested that the provincial Legislature perhaps should be more interested in this Foundation. Mention was made of the wonders they seem to be performing with vitamin E. To be quite frank I thought the question should be raised with the hon. Minister of Health (Mr. Phillips) and perhaps many other people would be interested to know the answers to such questions as, are we giving any assistance to the Foundation? Perhaps an additional question might be asked: is this a worthy Foundation? Is it actually a good thing from a medical point of view? I think perhaps the provincial Department of Health should have some information on it. It might assist us to have answers to those two particular questions from the hon. Minister of Health (Mr. Phillips) if we can have them. I am particularly interested since I am informed that Vitamin E does have some effect in the assistance in the cure of cancer. I think anything which does have any helpful effect in the cure of cancer should be of great interest to all with respect to the diseases it is claimed vitamin E does have some effect on.

I wonder if the hon. Minister of Health (Mr.

Phillips) could give us some information on that subject?

MR. PHILLIPS: Mr. Chairman, vitamin E in the field of medicine is fairly new. Most doctors will state that it has a lot of therapeutic value, good value, but that it is not yet a proven specific. I think, personally, vitamin E is all right but if we were going to enter into a foundation such as this we would be called on every day almost to enter into similar ones. I am not belittling the use of vitaman E at all. I think vitamin E is all right but I think until we have more research done and more facts at our disposal as a government we should leave it alone.

Vote 61 agreed to.

On vote 62.

MR. W. DENNISON (St. David): On Vote 62, Mr. Chairman, I wonder if the hon. Minister of Health (Mr. Phillips) has any suggestions to make in regard to the tests we are going to use under this department now for the determination of syphillis, seeing that he has lost faith in the Wasserman test?

MR. PHILLIPS: Mr. Chairman, that is really the furthest thing from the truth. When we make a diagnosis in any matter it involves the combination of clinical findings plus laboratory findings. What I stated in my address the other day was that we should not make a diagnosis on any one sympton or on any one laboratory finding. Remember, where you do get a positive Wasserman and it is not backed up by clinical findings what the average doctor does is to send in several samples. I certainly want to say that I have every faith in the world in the Wasserman test providing it is in the right hands and the right person assesses the value of it.

Vote 62 agreed to.

On Vote 63.

MR. W. DENNISON: (St. David): Under Vote 63, Mr. Chairman, Item 4, with respect to the expansion of prevention work, I would like to draw the attention of the hon. Minister of Public Health (Mr. Phillips) to situations upon which I have had memos given to me.

One has regard to after care of patients discharged from our sanitoriums. I am told that the treatment throughout Ontario, which at the present time I believe is in the hands of the municipalities, is most unfair in certain municipalities and away below that which is adequate. In this particular case, after being discharged from the Toronto Hospital in 1949, only $25. a month was allowed to pay board, to buy clothing and to get the necessities of life. I repeat, only $25. a month. That was in Eldersley, in Bruce County. In Toronto $80. a month is provided for the same after-hospital care. In Mimico it is $40. and in Swansea $52.

(TAKE "G" FOLLOWS)

I am sure the hon. Minister (Mr. Phillips) will recognize the importance of this, the importance of providing these people with the proper care so when they leave the hospital they will not, because of lack of care, be forced to work earlier than they should and thus be forced back into the hospital again.

MR. PHILLIPS: Well, Mr. Chairman, I will have to agree with the hon. Member (Mr. Dennison) in one or two things. In cities in the rehabilitation pro-san. They do pay very well for these individuals. In rural areas of Ontario up until the present time we have not been paying and much as we are trying to get them to pay. May I say that to-day we have the Ontario Tuberculosis Association which is dividing Ontario into districts and they are going to take up the work of organization, education and rehabilitation and the government through this medium hope to educate the rural municipalities into giving enough money to these people to really live on.

MR. DENNISON: Would there be any possibility of setting a floor on to the grants, somewhat in the same way as the Department of Municipal Affairs does, say,: "if you will give so much, we will give so much provided the floor is at a certain point".

MR. PHILLIPS: We will certainly give that consideration.

MR. DENNISON: Now, there is another matter I am sure the hon. Minister (Mr. Phillips) would like to give consideration to. I have another memo, and this concerns the Mountain Sanatorium in Hamilton and I do

not want to read this letter because I do not want to have it on file, but it concerns Christmas leave or overnight passes. Some of the patients there who apparently have progressed to the point where they were entitled to Christmas leave or overnight passes asked for these and they were told by the doctor that it was not possible. One of the doctors gave a broadcast over the P.A. system in respect of this, explaining the reasons why, and his reasons centered around the fact that for every night a patient was away from the institution, the institution was docked $4.00 a day in their grants and that brings it within the sphere of the hon. Minister (Mr. Phillips). I just draw that to the attention of the hon. Minister (Mr. Phillips). I have no personal knowledge of it, but that came to me.

MR. PHILLIPS: Mr. Chairman, it is impossible for any department to be responsible for everyone or for everything that is said by people who work for that department. I want to pay tribute at this time to all the officials that work in my department because they are certainly a very responsible group of people and I can assure you that there is no docking done when a person goes home for a night or week-end or any short period of time.

MISS MacPHAIL: Mr. Chairman, I would like to ask the hon. Minister about the food situation in the sanatoria I know something about the food in Hamilton and Gravenhurst and I thought it was not good. I would not want to eat it, anyway. It was half cold when it came to them and it was

not the kind of food that people who are bedfast should be eating in my opinion. I took it up with Mr. Kelly and he investigated the Hamilton one, but since then, the food at Gravenhurst does not seem to be any better than the food I saw and tasted in Hamilton. At least half a dozen patients at Hamilton whom I knew, bitterly complained about it and I went over to see whether there was any reason for the complaints and I really thought there were. A friend of mine was for six years in Gravenhurst and though he did not complain - he is now not living - but those who visited him including members of my own family thought that the food was very poor.

MR. PHILLIPS: I would like to say to the hon. Member for York, East (Miss MacPhail) that applies to almost every hospital, certainly to every hospital whether it is a public hospital or a sanatorium where there are a large group of people to be fed. I think probably the dietitians could probably do a little bit more towards betterment of food and I might say to the hon. Member (Miss MacPhail) that we have checked two or three of our sanatoria regarding the food situation and asked them to give their patients better food because we have had one or two complaints.

MISS MacPHAIL: For supper, for instance, on one of the visits I paid to Gravenhurst they had bologna and I think for a person who is sick that is an awful sort of thing to give them. In Hamilton my chief complaint about food, if I were eating it all the time, was it was hardly luke warm. I think that must be such

a vast institution and they bring it up on wagons that are supposed to be heated, but I do not think they were heated very well.

MR. PHILLIPS: Mr. Chairman, then again it is our employees and also the speed at which that food leaves the kitchen until it reaches the patients. And the patients who are unfortunately at the end of the line, their food is not too warm. I think in most of these institutions they do use a different routine each time so that the one group are not always getting their food at the last. It is an important question, the question of food, very important.

MR. McLEOD: Mr. Chairman, I have three short questions I would like to ask the hon. Minister (Mr. Phillips).

First of all, are all the hospitals in the province now equipped to carry out the Department's routine Chest X-Ray Program? Secondly, is the hon. Minister Mr. Phillips) satisfied that the results from this program up to this point justify the expenditure that was made in installing the X-Ray equipment in the hospitals? Thirdly, what is the Department doing to cope with the serious problem that the hon. Minister (Mr. Phillips) referred to in his main address in connection with --

MR. PHILLIPS: Which?

MR. McLEOD: I say, what is the hon. Minister (Mr. Phillips) and his Department proposing to do about the alarming rate of tuberculosis among the Indian citizens of the province? Did you get all three of those?

MR. PHILLIPS: Well, your first question regarding hospital X-Rays or hospitals that have the new equipment, I think there are still something like 14 or 15 hospitals, most of them very small, without them. I think most of them have only two to four beds and I might say there are certain departmental regulations which are Federal that do not allow us to send in a project for these hospitals. However, I am going to see that each and every hospital in Ontario which is entitled to one under Federal regulations, will have one in the near future. They are doing a good job. Practically any person with a little bit of training can take the picture, providing that the picture is read by a radiologist,

I would say that they are excellent. I realize that this Indian question, as a matter of fact,

part of our tuberculosis program that we are not too proud of, remembering the mortality rate in Indians is nine times that of whites.

MR. McLEOD: Why?

MR. PHILLIPS: Well, they are more susceptible to the T.B. germ. It is just the same as a mouse, you inject one Pneumococcus germ into a mouse and that mouse will die within 24 hours while, with the same mouse you can inject a large quantity of Streptococcus germ into that same mouse and the mouse will live. Why is a pretty hard question to answer, as we are using the same mouse. Further, we are putting forward extra programs and clinics to pick up all new cases among the Indians.

MR. R. THORNBERRY (Hamilton, Centre): Could the hon. Minister (Mr. Phillips) say whether he thinks it is

a biological difference between the Indians and Nordic peoples? Is there any biological difference?

MR. PHILLIPS: Well, Mr. Chairman, that is a very, very technical question. No, I do not think I would call it biological, but certainly the susceptibility is very very high in Indians and when they do get Tuberculosis - remember the incidence of Tuberculosis has not gone down so much, but the mortality rate has gone down - well, when the Indians once have Tuberculosis, it is certainly a very, very serious matter.

MR. MacLEOD: Mr. Chairman, surely it has something to do with the low physical state of people who are obviously living under very poor conditions, not getting proper food and so on. Surely that has something to do with it?

MR. PHILLIPS: Well, it is more than that, you cannot change the whole habitat of a race. As a matter of fact, the Indians have certain things they follow the same as we do and I think we would have to change their whole life which is impossible. They want to live and be left alone and live as their fathers and grandfathers lived. It is more than just food, and so on.

Vote 63 agreed to.

On Vote 64

MR. J.L. EASTON (Wentworth): I see there is an increase of $35,000.00 in the industrial hygeine branch, would the hon. Minister (Mr. Phillips) explain the functions of this branch and why the increase?

MR. PHILLIPS: Yes, now this increase is due to the fact that we are setting up a division for Silicosis

and this extra money will be used for chest work in regard to industrial cases.

MR. DENNISON: I wonder if you would like to tell us if anything has been done to have an inspection of the hospitals of the province with a view to the safety of the people working there. I have been told by a man who was injured at the sanatorium in Weston that he was injured there, a ladder slipped, he was on a ladder, the floor was very slippery and the ladder was not equipped with rubber pads or the type of fitting that would help hold it on the floor and the ladder slipped and he fell and was badly injured.

TAKE "H" FOLLOWS

and in attempting to get some redress for the injury, he asked the Department of Labor, at Queen's Park, and they told him that the hospitals were outside the scope of their investigation; they did not inspect hospitals for safety, and I think he had some difficulty getting help from the Workmen's Compensation. I am not sure whether employees of hospitals are under the Workmen's Compensation or not.

Hon. CHARLES DALEY (Minister of Labor): Yes, they are.

MR. DENNISON: He said he would like to have this matter brought to the attention of the Department. He believes that some general inspection should be made at regular intervals.

MR. PHILLIPS: Mr. Chairman, every hospital in Ontario has a rigid inspection from practically every angle. I cannot stress the word "safety", but I do know they get a very rigid inspection, and all the people who work there are entitled to compensation both for injury and disease.

MR. DENNISON: Would the hon. Minister (Mr. Phillips) have a look at this one particular incident, I think it was in the Davies Cottage -- I guess that would be at Weston. He said there was a door with a five foot drop on the other side, which was not locked, nor bolted, and there was no warning sign, and this man stepped through that door, and dropped five feet. After that, he was dismissed as an employee. Perhaps I should give this letter to the hon. Minister (Mr. Phillips).

MR. PHILLIPS: What year was that?

MR. DENNISON: This is dated February 14th, 1951.

MR. PHILLIPS: If the hon. member (Mr. Dennison)

will give me the letter, I will look into it.

Vote 64 agreed to.

On Vote 65.

MR. DENNISON: I wonder if the hon. Minister (Mr. Phillips) would like to give us any information as to the progress we are making, in getting cities toestablish sewage disposal plants. He gave it to me privately, but he might like to give it to the House.

MR. PHILLIPS: Mr. Chairman, we have 50 municipalities in Ontario which have undertaken or completed sewage systems, and we have 57 municipalities which have made applications, and they are in the development stage at the present time.

I really feel that this Department is getting the full cooperation of the province of Ontario.

Votes 65 to 67 inclusive agreed to.

On Vote 68:

MR. DENNISON: Mr. Chairman, on Vote 68; we have a grant here of $10,000,000 for payment of grants to public hospitals, and I am wondering if the hon. Minister (Mr. Phillips) agrees with my statement that these grants for equipment in local hospitals can hardly be put down as "capital expenditures", as far as our Provincial book-keeping is concerned.

MR. PHILLIPS: Will you repeat the last part of your question?

MR. DENNISON: Last year, in the Public Accounts, on this type of expenditures, it was listed as "Capital expenditures" rather than "Ordinary expenditures". My point is I do not think that is good policy, that type of expenditures being "Capital expenditures", because it has

passed into somebody else's hands, and as far as we are concerned, it is no longer "capital".

MR. PHILLIPS: You do not mean the money we spend on construction of hospitals in municipalities?

MR. DENNISON: Yes, and most of it is for equipment and maintenance.

MR. PHILLIPS: Well, you do not mean you do not agree with our special maintenance grants?

MR. DENNISON: I agree with them, Mr. Minister (Mr. Phillips), but if you will notice in the Public Accounts, when you draw them up, this is in the hon. Treasurer's (Mr. Frost) Budget every year, this is listed as "Capital expenditures"; in other words, it is something the province can show as an asset, on the asset side of our Balance Sheet. I personally do not think that should be listed as an asset. The next thing, we will want to do is to fund it. I think it should be listed as "Current expenditures", and put on the current expenditure's side.

Vote 68 agreed to.

On Vote 69.

MR. A.A. MACLEOD (Bellwoods): Mr. Chairman, on Vote 69 --

MR. DENNISON: I have not an answer from the hon. Minister (Mr. Phillips), and I wonder if the hon. member for Bellwoods (Mr. MacLeod) will let me get the reply.

MR. MACLEOD: I am always willing to oblige.

MR. PHILLIPS: This whole hospital tax structure was treated as "capital" last year. As a matter of fact, if the hon. member (Mr. Dennison) does not understand, I will be very glad, if he will come to my office tomorrow,

to explain it.

MR. DENNISON: Thank you. It is not so much my not understanding, but I think it is a matter of policy, and it is bad bookkeeping.

Another thing; the hon. Minister (Mr. Phillips) has not ear-marked anything in the way of grants this year to be used to promote the training of dentists. This does not come under your Department; it comes under Education, but no doubt you are consulted, and in the grant to the Universities of the province, only one -- Ottawa -- has received a grant for the Medical School, and there is none with the grant particularly ear-marked for the expansion of either medical or dental studies. I think the hon. Minister (Mr. Phillips) should make a statement on that. We are short of dentists and doctors, to go into a real health plan.

MR. PHILLIPS: As a matter of fact, Mr. Chairman, this question does not come under my Department at all. It comes under Education, and may I say this government gave a very large grant toward our Universities, and we have increased that grant for this coming year. Certainly, we need more dentists, but I feel we will have to leave that to the Universities to train as many men as they have facilities for.

MR. DENNISON: That is just the problem. The Dental School at the University of Toronto is equipped to train 80 dentists a year. It was built at a time when Ontario had a population of only 2,000,000. Now they are turning out 168 dentists a year, or more than double

the number they are properly equipped to train, and there is great pressure on the Dental Academy to increase the enrollment, and yet the province is not ear-marking anything to permit them to do that.

I think the hon. Minister (Mr. Phillips) should get together with the hon. Minister of Education (Mr. Porter) and ear-mark enough money next year to start a second Dental College in Ontario.

MR. PHILLIPS: Mr. Chairman, we have had many consultations on this same matter. It is certainly under consideration.

MR. MACLEOD: Mr. Chairman, there are just a few figures I would like to get straightened out with the hon. Minister (Mr. Phillips).

If I understood him correctly, he told us the day he spoke in the House that we have now in the province of Ontario 19,000 patients in our Mental Hospitals. Last night, in introducing his estimates, the hon. Minister (Mr. Phillips) stated that our Mental Hospitals in Ontario now have 17,000 beds, which suggests that 19,000 patients are occupying 17,000 beds.

As I check over the figures we have been given since 1944, the number of mental patients in these institutions has risen from 14,172 to 19,000; in other words, there is an increase of nearly 5,000; whereas, according to the figures the hon. Minister (Mr. Phillips) gave us last night, we have added only 2,800 beds during that same period.

Therefore, one is bound to draw the conclusion that the problem of mental illness has made a far greater

advance in the province of Ontario than has the government's program in coping with it. That is the situation so far as accommodation is concerned. We seem to be lagging behind just as badly, insofar as the staffing of these institutions is concerned.

If the hon. Minister (Mr. Phillips) accepts the figures I secured from Doctor Stevenson a few days ago, then it is quite clear that we are woefully short of psychiatrists. The last figure I had was that we had 50 psychiatrists on the staff of these mental institutions, and in checking over the list of those psychiatrists, one wonders when they took their training in psychiatry, because a goodly number of them graduated as far back as 1914, 1915, 1916, and 1917, before psychiatry, as we know it, was practiced in this province. I wonder how seriously we should take the claim that we actually have 50 qualified psychiatrists of the staff of the mental institutions in Ontario at this moment.

I would like to have the hon. Minister (Mr. Phillips) express an opinion on the claim of Dortor Stevenson that we should actually have one psychiatrist for every 20,000 population. If that figure is a sound one, we should have about 225 psychiatrists in the province of Ontario at this time, whereas, we appear to have about one-half that number. Of course, the inadequacy of staff applies to almost every other function in these institutions, so that by the time you collect all the known facts, it is quite clear that in the province of Ontario we have made relatively little headway in dealing with this problem, since the government of Mr. Drew assumed power in 1943. (TAKE "I" FOLLOWS)

At that time the predecessor of the present hon. Minister (Mr.Vivian) is authority for the statement that in 1944 we required 19,000 beds in the mental institutions of the Province of Ontario. We required 19,000 seven years ago, whereas according to the statement that the hon. Minister (Mr. Phillips) made last night, we have 17,000---2,000 short of the figure that we were supposed to have had in 1944. And that, of course, overlooks the fact that the population has increased 500,000 or 600,000 or 700,000 since then, and that the rate of mental illness has increased to an even greater degree during that period.

Now I am very anxious to hear what the hon. Minister (Mr. Phillips) has to say about this problem. I hardly need to emphasize further what I said in the House a few days ago and what I have been saying for a number of years now, that this in my judgment constitutes one of the biggest problems of our day and generation, and that unless it is tackled in a bold, imaginative fashion, it is going to get beyond us and in the next three, four or five years we are going to be confronted with a situation where practically ever dollar we are now apropriating for health in the Province of Ontario is going to have to be spent on the maintenance of mental institutions. Nobody in this House wants that to happen, I think that every hon. member of the House, regardless of Party affiliation, desires to be as helpful as possible in approaching this great social problem, because the hon. Minister (Mr. Phillips) reminded us, when he spoke in the House, it may catch up with four or five of us in the next short period of time. And that would be too bad.

MR. R. THORNBERRY (Hamilton Centre); Maybe it has caught up.

SOME hon. MEMBERS: Oh, oh.

MR. MacLEOD: Maybe it has caught up, I do not know. But I would like to emphasize again the point that I have made so often and which I repeated the other day, that I do not think we are going to make much headway in dealing with this serious problem until we give the people of Ontario an opportunity to discuss it in a public way, and I was very much impressed with the statement Doctor A. E. Stokes, of the University of Toronto, made in the course of a lecture at the Royal Canadian Institute last Saturday night:

> "One deterrent to research which handicaps progress towards solutions," said Doctor Stokes, "is a sense of fear on the part of the public resulting from misapprehensions of the nature of mental illness."

I think that is a very significant statement, and I think as far as it goes it tends to bear out my contention that we would make far greater headway in finding the solution, or the part solution to this problem, if the government would appoint a Royal Commission charged with the task of opening up a broad public enquiry into this whole field. I have on many occasions referred to the Royal Commission of 1950. I do not know whether my hon. friend the Minister of Health (Mr. Phillips) has read this Report or not. If he has read the report of the P. D. Ross Commission in 1950, he will be struck with the fact that neither this government nor the governments which preceded it began to tackle the excellent recommendations made by P. D. Ross twenty years ago. We have hospitals--so-called hospitals---operating in Ontario today which were condemned by P. D. Ross 21 years ago! The Hospital in London is a case in point. P. D. Ross declared that institution was obsolete and should be closed down. He stated as a fact

20 years ago that 999 had been closed down--it was supposed to be sold for a railway station or something--and there it is, still operating and the government apparently quite oblivious to the condition of the people who are herded into that miserable building.

I do not know how we are going to shake the government out of its lethargy on this question. I think it would be a good thing if arrangements could be made to confine all the hon. members of the government in 999 Queen Street West for a period of 30 days.

AN hon. MEMBER: Where would you put them?

MISS AGNES MacPHAIL (York East): For the Easter holidays.

MR. MacLEOD: For the Easter holidays, perhaps five days would do. There is not an hon. member sitting over there on those Treasury benches, there is not an hon. member sitting on the government side of this House who would be willing to commit a member of his family to 999 Queen Street.

SOME hon. MEMBERS: Oh, oh.

MR MacLEOD: Not one of them.

MR. R. A. McEWING (Wellington North): I hope not.

MR. MacLEOD: And yet you permit human beings to be confined to a place that bears no relationship whatever to a mental hospital. It is a place of detention, it is not even fit to be used as a jail, but there it is and the government apparently remains indifferent to an ugly siuation like that.

Now I would like to hear what the hon. Minister (Mr. Phillips) has to say about this problem, and hear from him in greater detail, because I am satisfied that he is the first Minister we have had for a long time who is really equipped by training and knowledge to discuss this problemas

it should be discussed in this House. I am sorry that I have stood in the way of your speaking so long.

MR. PHILLIPS: Mr. Chairman, I just have three or four things to say, because I have spoken at length on this subject this year. In my first speech I said 19,000, that is made up of 17,000 in our mental hospitals, 600 in boarding houses and 1500 on probation.

Regarding pschiatrist, let me say that psychiatry is a new specialty, and the certifying specialist is also new. Today it takes 11 years, in the old days they received one or two years training plus so many years training in a mental hospital, really working in that hospital, then they were considered specialists. We feel we need about one psychiatrist to 25,000 people, and this new programme that we have is under the direction of Professor Stokes, and I do not think we could get another man who could give us the advise and, as I stated last night, he is bringing up three outstanding men into this work.

Now regarding 999 Queen Street West, I would really like the hon. member for Bellwoods (Mr. MacLeod) to go out to 999 after the Session. I would be glad to go with him.

MR. MacLEOD: Oh, I have been there.

MR. PHILLIPS: Well, you were there, according to your words, two years ago. It is a different place altogether now. I just want to say that the present Superintendent, Doctor Cleland deserves a great deal of credit. I was there not two years ago, but several years ago and then I was out again a month or so ago again, and I would not know the place. It is really--I am not saying it is in excellent condition, -- but it is in good condition.

MR. L. F. K. FELL (Parkdale): I wonder if the hon. Minister

(Mr. Phillips) would answer this question. We have mentioned this same subject eachyear and I believe last year there was some indication from the then honl Minister of Health (Mr. Kelley) that there was going to be an improvement by way of addition to the staff at 999. We discussed at that time I think the question of improving the labor staff, for instance, and the fact there was no argument when I raised the question at that time, that what is probably more needed in hospitals of this type is constant supervision, probably more physical contact between the staff and the patients than is normally required in other hospitals of a different nature.

We pointed out last year that those of us who had given some attention to the question and had actually visited the hospital and discussed to some great extent the operation of the hospital with the senior staff in those hospitals, came to the conclusion that probably one of the major requirements of 999 Queen Street West was a ore modernized basic staff that could be of more assistance to the senior staff---in other words, our male attendants. We felt that a good many of them probably required additional training. We felt that a good deal of the pressure that was placed onthe resident physician or psychiatrist could be relieved if more of the staff were trained in the processes of taking care of the patient at times when it was not actually necessary for a psychiatrist to be present.

As the hon. Minister (Mr. Phillips) says, there have been some changes made. I gather from his remarks he was referring primarily to the decorations of the building. Those of us who have been there found, I think, the problem not so much one of decorations, which were certainly needed badly and could have done with some improvement, but we felt among

many of us, that it was fundamentally a need for increased staff and an increased training of staff.

MR. MacLEOD: Close it down.

MR. FELL: Well, close it down, but if we have to accept it, there should be some improvement in staff. It was our opinion---as laymen, of course---an opinion derived through discussion with the staff, that additional psychiatric staff people were required, that more psychiatrists were needed in addition, and it did appear to us that these people were definitely overworked. Treatments were being given in hallways and people were just wandering aimlessly up and down the corridors, completely unattended.

Some of us who have made these remarks before do not claim to be psychiatrists, do not claim to be people who are the final authority on this subject, but it does seem to those of us who have given it some consideration that in this kind of mental care, it is probably more necessary to have some kind of personal contact with a patient as often as possible during a twenty-four hour period, and our impression was that the patients were not getting that kind of treatment at that time.

Now since the hon. Minister (Mr. Phillips) has indicated that there has been some improvement in the decoration of the building and there appears to be an obvious conclusion that there is no indication on the part of the government of closing it down or building another hospital somewhere else, in spite of the fact that the staff did indicate to us that that was probably the only reasonable answer to the whole thing at that time, in view of these conclusions I am wondering if the hon. Minister (Mr. Phillips) can tell us whether or not there has been an increase in staff and improvement in the basic staff at 999.

(Take J follows)

MR. WALTERS: Mr. Chairman, I would like to speak about this. Perhaps the hon. Minister (Mr. Phillips) could answer all the questions at once, if he cares so to do. The consensus of opinion seems to be that the buildings should be closed down. As far as the inmates of the place are concerned their mentality is such that, while some ofthem may recover, some of them, I think, do not feel it half as much as the people who still have some mental balance and who live in the riding where it is situated, which happens to be the riding I represent. I have been going up and down Queen Street for 50 years.

MR. FROST: I did not think you were that old.

MR. WALTERS: Well, I am. The place looks the same to me as it did 50 years ago. It has a very depressing effect on the people around there. They have nicknamed it, as you know, "the snakepit". Furthermore, it is my understanding that all the inmates of 999 Queen Street West, Toronto, are not mental cases, that the place was built for 700 inmates in the first place and contains 1,300 now.

MR. PHILLIPS: No; that is not quite right.

MR. WALTERS: Maybe not; I am willing to be corrected on the figures. They are not my figures. Certainly it is overcrowded, as are all hospitals.

Last year I stated there should be two institutions built and they should be removed out of the city. It is my studied opinion that in the case of a mental hospital particularly where the patients are more or less for some time at least permanent, shall we say -- and that is a rather peculiar way of expressing it, I will admit -- but where they are in hospital for some length of time I think that for the reason of humanity alone it should be taken out of

the city. For the benefit of the inmates, themselves, for the people who have to live around that type of place, I think it should be taken out of the city. I think it has a depressing effect upon the citizens down there. They call it "999, the snakepit". It has always been treated in a sort of cynical way by all the people. The building is terribly old. I do not know by whom it was built. It looks terribly old to me. I have lived in that section of the city for a great many years. In addition to the comments I have had about the place I have had comments from the people who work in there, as well as from medical, and professional people who are actually attempting to help cure these people. The facilities are bad for the health. The first thing you know your health is going to be just about as bad in the way of being mentally unbalanced as the people who are being treated under those conditions. I think the government would be well advised, under the circumstances, in respect of all mental institutions, to remove them outside of the cities, where the heavier population is centered and, moreover, that in the case of people who are incurable, they be not be put in with mental cases, but keep the two apart. Why mix the two together? I think those are matters which should be studied. I am not a doctor, nor am I treating it from the standpoint of a doctor. I am not going to blame the hon. Minister of Health (Mr. Phillips) for the situation. I think this is a responsibility which should be dealt with by the Treasury benches. They have to get interested in this situation and work out the ways and means. I have heard a rumour that there is a large

industrial concern which is very much interested in taking over that piece of property. You may even make a worthwhile business deal in the circumstances. That is possible. Certainly if you can do it, it will serve a useful purpose all around because frankly I would like to see that place removed out in the country, from where it is now situated. With an old building such as that, I think you are just throwing money down the drain. Sooner or later you will have to build a hospital, or maybe even two hospitals, to take up the slack which you have in your mental institutions. Take the people out who are not mental and put them in hospital by themselves.

Hon. G.H. DOUCETT (Minister of Public Works): I have listened with a great deal of interest to the discussion with respect to moving hospitals out of the city. I might say that I think it is the duty of this government to see that further accommodation is provided and to take care of the needs before we start dismantling some of the buildings which are serving a very good purpose.

MR. WALTERS: I am talking about mental hospitals.

MR. DOUCETT: I am only talking about Ontario hospitals. I have nothing to do with the others.

I might say for the information of the hon. members that we have gone quite a distance already. Since this government came into power we built additional accommodation at Orillia for some 300 beds. We have purchased the property and have it finished. I think the Department has that filled to capacity at Orillia, for another 300 or 350.

MR. MacLEOD: 250.

MR. DOUCETT: Pardon?

MR. MacLEOD: 250.

MR. WALTERS: Do not let the hon. Minister of Public Works (Mr. Doucett) exaggerate.

MR. MacLEOD: Those are the hon. Minister's (Mr. Doucett) figures.

MR. DOUCETT: In the township of Montague we have another very fine hospital under way. I am very glad to report to the House that at the end of last year we were able to turn over to the Department of Health the first pavillion there, which has accommodation for some 900 beds, while it is true that some of it is being used for office space at the present time until we finish the next pavillion which will be in the near future, of a further 900 beds accommodation. When this institution is completed there will be accommodation for 2,400 beds.

I am also very pleased to report that we are going to start immediately on an expansion programme at Brockville. There are other general improvements which will add to each present cottage a fireproof wing with accommodation for fifty patients in each, or, 600 patients in all. This will also add up-to-date fire protection for the present cottages and we are now going to add to the rear centre section of the main building a new central kitchen and food service centre. The present system of water storage, tanks and fire pumps will be removed from the main building and a new fireproof tower provided, and the pumps re-located in fireproof buildings. When this is added up I think you will agree that we have done a great deal towards relieving this need, while we realize there is a great need and will be for some time.

Early last year we started another project at the head of the lakes in the riding of the hon. member for Port Arthur (Mr. Robinson) which will give further accommodation to 460 patients, or 460 beds. This hospital is so drafted and is being constructed so that it can be added to until it is of much greater size. I am glad to report that it is going ahead with reasonable progress and we are looking forward to the early completion of it.

The former administration in its time built an administrative building there that will be utilized for the purpose for which it was built, being at the front of the present institution which is under construction.

MR. MacLEOD: Mr. Chairman, I am sure that what the hon. Minister (Mr. Doucett) has said, will be received with great interest and great satisfaction, but I would point out to the hon. Minister (Mr. Doucett) that the figures he has given the House on additional accommodation merely adds up to the figure given us in 1944; that is to say, everything the hon. Minister (Mr. Doucett) says now suggests that we have in 1951 arrived at the point which the predecessor to this government admitted we should have reached in the year 1944. One would hardly claim there is very much progress to report, anyhow; in other words, you are still seven years behind the times when you do all of the things you have just announced. What do you have to say to that?

MR. FROST: I think the hon. member for Bellwoods (Mr. McLeod) knows that we have done all of these immense expansions and all of these immense plans in the face of very great materiel difficulty. The hon. member for

Bellwoods (Mr.McLeod) must realize that; and, he must also realize that in this time we have a backlog of the war and we have the difficulties of materiel. Really we are doing quite a job. I have listened to the hon. member for Bellwoods (Mr. MacLeod) on a number of occasions. I think there is great merit in what he says about the preventive services upon which we might enlarge in the province of Ontario. I also feel when I look at these immense programmes for buildings and the costs involved that if we keep on ultimately we will have enough room for everybody in Ontario. That is just the situation. I think that we should move the other way, to try and keep the people out of these places.

MR. JOLLIFFE: The hon. Prime Minister (Mr. Frost) had better go easy on night Sessions.

MR. FROST: I would say to the hon. Leader of the Opposition (Mr. Jolliffe) I think I have done very well. I have been very human. You know last night I moved the adjournment of the House shortly after eleven o'clock. I have suggested compromises and ways and means in order that we might do that. I certainly like to do everything possible in order to avoid stresses, strains and to keep our people, including the section of the population which is in this House, here, in a nice, cheerful frame of mind.

I want to say to the hon. members and particularly to the hon. member for Bellwoods (Mr. MacLeod) that his representations are not falling on deaf ears. We certainly feel we ought to be finding ways and means more quickly of getting people out of these institutions, making them useful citizens again. After all, they are handicapped people. I know there is a difficulty there but we have

to treat them as handicapped people.

MR. MacLEOD: 52% of them are incurable.

MR. FROST: I realize it is unfortunate that a section of them is uncurable. Perhaps by preventive services we may prevent other cases from becoming incurable. I do not want to take up the time of the House, but I would like to say last summer I went over to St. Catharines with the hon. Minister of Labour (Mr. Daley). When I go over as Prime Minister I always go over in a very expansive mood, willing to do everything; but when I go over as Treasurer I go over in a different way. I go over like Dr. Jekel and Mr. Hyde. On this day I was looking at things from the standpoint of the Treasurer. I was a little tough with the hon. Minister of Labour (Mr. Daley). I told him I thought the people over there were asking too much. When I got over there, really they did sell me on this proposition. In Ontario it is the first time a unit of that sort has been attached to a general hospital. It is an innovation. We will spend quite a bit of money there. I say to the House that we will not spend anything like the money we are spending, for instance, in Brockville with this great addition of 600 beds just announced by the Minister of Public Works (Mr. Doucett). We might do a lot better if we could put additions onto our general hospitals throughout Ontario and get doctors in the service who are dealing with people in their every day life.

Mr. Chairman, that is a big problem; but, what the hon. member for Bellwoods (Mr. MacLeod) says appeals to me. I must admit I think there is a good deal in what he says. He can be assured it is not falling on deaf ears.

We may come forward some of these days with a programme which will really knock your eye right out.

MR. JOLLIFFE: I am not disagreeing with the hon. member for Bellwoods (Mr. MacLeod) on this question, but I would point out in the light of what the hon. Prime Minister (Mr. Frost) has said that a good deal of the work done in hospitals is in itself preventive, in this sense, that there are many people who, if they received treatment at the right time, could go out -- and do go out -- to become perfectly useful and normal citizens. I have been quite impressed with some of the cases within my knowledge of younger people particularly who went, I may say, not to 999 Queen Street West, but to one or other of the other institutions, and as a result of treatment emerged in, I thought, a remarkably short period of time, who have since been able to take a perfectly normal and useful part in society. That is the brighter side of the picture, which I think should not be forgotten. It illustrates that good treatment in a better type of institution is effective, much more effective than I used to think it was.

MR. C.C. CALDER (London): Before the hon. Minister of Public Works (Mr. Doucett) winds up on this item, might I ask him to touch on this point. Some time ago it was reported in the Press -- and I have not the clipping available -- that the Department of Health had under discussion the administration of all Ontario hospitals by commission, that the question of administration had become a matter of such magnitude it required a commission, apparently an independent department. Is that true, and if such discussions are going on, at what point have they now arrived?

MR. PHILLIPS: Mr. Chairman, all I can say is that it has not been discussed yet.

MR. L.K. FELL (Parkdale): Is the hon. Minister of Health (Mr. Phillips) going to attempt to answer the question I asked awhile ago? I believe I asked the hon. Minister (Mr. Phillips) a question with regard to the hospital staff at 999 Queen West.

(TAKE "K" FOLLOWS)

MR. PHILLIPS: I have that now. We have increased our staff there by 50 in the last not quite two years, we have increased it by 50 and you will notice we have an extra $35,000.00 in the estimates and we are to use a great deal of that amount of money for an increase of staff. May I say to the other hon. Member (Mr. Walters) who asked a question referring to people in our institutions that are not mentally ill. All I have to say is that every patient in our mental hospitals is certified by two doctors and I think the cases he is referring to are those that you might say we consider senile or arteriosclerotic, but they were all committed there by certification.

MR. L.F.K. FELL (Parkdale): Mr. Chairman, I do not want to delay the conclusion of these estimates but what the hon. Minister (Mr. Phillips) has just said to this house sounds odd since I had an experience in my constituency last Winter where a particular person had been picked up, I believe outside a hotel, and had been taken to the station and hence to the Don Jail and then transferred to the Ontario Hospital on Queen Street and was kept there for something like three to four weeks. I became aware of this when the family came to me and asked if there was anything I could do to get the chap out for Christmas and New Years holidays. It was my information at the time that he had been transferred there by the Toronto Police Department. I checked with the doctor at the hospital and the best I could get at that time was that he perhaps should stay in the hospital for the holidays. Now, in consideration of the remark of the hon.

Minister (Mr. Phillips) a few moments ago, I am now puzzled as to whether it is a practice that the City of Toronto have some arrangements where perhaps habitual alcoholics are admitted there by police action or what is the situation? It did seem to me there were other people than mentally disturbed people at the particular hospital.

MR. PHILLIPS: Well, probably any hospital whether mental or otherwise is open to a great deal of criticism if they turned down a patient brought in by the police or anyone else. We have two periods. One period I speak of as the probation period which is six months, they are not discharged. We also have a period of observation which is two to three weeks. Sometimes they are sent in there, they are held in a special ward for two or three weeks in which our own Ontario Hospital doctors have a chance to make sure whether these patients should be discharged or kept on there in the hospital.

MR. FELL: In other words, just by being a drunk he may be put into this mental hospital and held for at least a period of three weeks?

MR. PHILLIPS: He could be put into the Admission Ward, but he never goes beyond the Admission Ward unless he is mentally ill.

MR. DENNISON: Just one more point. I am glad to hear from the hon. Minister of Public Works (Mr. Doucett) that we have not stopped the building of mental hospitals. I was a little doubtful of that policy when it was suggested

in a speech by the hon. Minister (Mr. Doucett) sometime ago. In the hon. Minister's(Mr. Doucett) speech at that time over the radio, he suggested the possibility of the Mental Hygeine Clinics to be set up by the Department in the municipality, he had hopes that these local clinics would be able to save a lot of people from having to enter mental hospitals. I wonder if he has any example or any suggestion to give us as to the way this worked in other juresdictions and how successfully.

MR. PHILLIPS: Well, at the present time we have our mental hospitals and as the hon. Minister of Public Works (Mr. Doucett) said, they are enlarging these. They hope to further their program. In the past we had travelling mental health clinics which have been doing a good job, but we feel a set-up such as we are trying out in St. Catherines with 21 psychiatric beds in a public hospital in the community with a psychiatrist, we are hoping that that is the way we should help prevent people from going to a mental hospital years later. We get these patients, make an earlier diagnosis and prevent them from going to a mental hospital.

MR. DENNISON: Has the hon. Minister (Mr. Phillips) any example to give us as to how it is working in other juresdictions or in the United States?

MR. PHILLIPS: No.

Votes 69 to 77 inclusive agreed to.

On Vote 78.

MR. C.C. CALDER (London): Mr. Chairman, on Vote 78, there was a couple of years ago, as the hon. Minister (Mr. Phillips) probably knows a most unfortunate killing of an attendant in the hospital at London. The jury recommended that safety devices be given to the orderlies so they might have at least a fighting chance. All they have in the meantime are whistles. I want the hon. Minister (Mr. Phillips) personally to look into that situation because it is far more important than it seems. You cannot regard it as safe when a man very recently was, for very good reasons, afraid of his life. At his earliest convenience will the hon. Minister (Mr. Phillips) look into these provisions and satisfy himself they will be made adequate?

MR. PHILLIPS: Yes, I will.

Votes 78 to 87 inclusive agreed to.

On Vote 88.

MR. J.B. SALSBERG (St. Andrew): Mr. Chairman, on Vote 88, Vote 88 provides the amount that the government has announced that it will make available for the development of the facilities for the treatment of cancer. That announcement was greeted by the people of this province and is recognized as an important step forward in the battle against this dreaded disease that is killing so many people, young and old. To the extent that the government has taken this step, every hon. Member of the House will extend its appreciation and congratulations to the government, but I want to raise at this time, Mr. Chairman, a question of providing diagnosis and

treatment to all who require it without pay. In other words, Mr. Chairman, it is of little use to say that people should be diagnosed and examined regularly to detect the first symtoms of cancer and then to say that we have the facilities for curing it unless we also provide free diagnosis and free treatment to those who cannot pay for such treatment if they are unfortunately struck with this disease. Now, I raise it in the hope that the government will find it possible to announce a broadening of this policy so as to provide the treatment whenever necessary free of charge. It is an important step, but it is insufficient, in the face of the terrible character of this disease that the people are confronted with.

MR. PHILLIPS: Mr. Chairman, in answering the hon. Member (Mr. Salsberg), let me say this, there are three classes of people. We have the wealthy, who can pay the bills, we have the so-called indigents, that the hon. Member (Mr. Salsberg) is speaking about and I am just wondering if they are not in just as fortunate a class as the wealthy are because no person has ever been turned down for treatment for cancer. It is the middle class that try to pay their way that I have a great deal of sympathy for.

MR PARK: How about a health insurance program to cover them all?

MR. PHILLIPS: But I can assure the hon. Member (Mr. Salsberg) that we will see that no one that requires treatment for cancer will be kept out.

MR. SALSBERG: Mr. Chairman, may I draw to the attention of the hon. Minister (Mr. Phillips) a fact which was contained in one of the Toronto newspapers that the Saskatchewan Government as far back as 1944 had legislation providing for free diagnosis and treatment to anyone suffering from cancer, who has resided in the province at least six months prior.

MR. FROST: Where is that?

MR. PARK: Saskatchewan. It is always ahead.

MR. SALSBERG: Prior to the operation of a Cancer Clinic. Now, if special legislation of this sort is required in Ontario, then I think the government should introduce it; if it can be done by regulation, then it should be done that way, but either way, establish in the province this policy, that anyone regardless of income can be diagnosed and if they are found to be affected by this disease will be given treatment, as much treatment as we are able to give and as is required, regardless of ability to pay.

MR. FROST: Well, of course, Mr. Chairman, what the hon. Member (Mr. Salsberg) the hon. Member for Dovercourt (Mr. Park) have said raises a very big problem. We have these things under constant consideration. I might say that the British Columbia experience into prepaid hospital plan is one which raised very doubtful points. I think that is true in the United Kingdom also. We are studying both of these. The fact is, I do not think that any jurisdiction yet has found the true answer to a health insurance in a way which meets all of the problems.

"TAKE "I" FOLLOWS"

The hon. member for St. Andrew (Mr. Salsberg) has referred to cancer. I think there is a more direct approach to that problem probably available than there is in the matter of free hospitalization. There are many things about free hospitals. When you get into this, you are dealing with the neurotics who, after all, are sick persons, but nevertheless are probably not persons who requires hospital treatment. I think that may be one of the troubles with the British Columbia plan.

On the other hand, in the matter of cancer, that ailment of neurosis does not enter into it to a very great extent. I have known some people who think they have malignant trouble, but it is ly imaginary, and I think the ailment is much similar in connection with the disease found in others. We have given consideration to that problem. As the hon. Minister of Health (Mr. Phillips) has said, one of the great difficulties is in dealing with the middle-class people who are able to pay and are trying to pay, but have not the means. Of course, with the Blue Cross and various medical plans in the province, that is becoming a large question in that field, but I can assure the hon. member (Mr. Salsberg) that we are greatly interested in it, and we want to proceed with this building.

I was discussing this with the hospital people the other day -- although I have not had much time to discuss these things in the last few weeks -- but we discussed the desirability of going ahead with their plans, and I think they are pretty well advanced. I would like to see that building completed this year.

There were two things for which I wanted priorities, one was the Wormen's Compensation Building, and the other this Cancer Institute, and I promised the hon. Minister of Labor (Mr. Daley) that I would take up the question of priorities in connection with his building immediately. I promised that, and it will be done.

MR. JOLLIFFE: When the hon. Prime Minister (Mr. Frost) refers to the difficulties encountered under the British Columbia scheme, and under the United Kingdom scheme, I know what the difficulties are, and they are real. One is the enormous increase in hospital cost, which like every type of inflation has thrown out of joint the plans which were made relative to financing the schemes.

MR. FROST: You are referring to both schemes?

MR. JOLLIFFE: Yes, I am referring to both schemes, but I think this is more pronounced in British Columbia than in the United Kingdom scheme.

The second great difficulty is that when a hospitalization plan is established, making the service available -- at leat in theory -- to everyone eligible, you are at once confronted with the obvious shortage of accommodations and facilities for treatment. This has occurred in British Columbia, and it is probably found more in Great Britain, where the service is much more comprehensive, and extends to many more types of treatment.

It is on these difficulties, that most of the opponents of hospitalization schemes rely, What I want to remind this House of is this; that the shortage is there, whether you have an insurance scheme or not; the shortage is still a very real thing. Let us not deceive

ourselves by thinking that no shortages exist, because there is less drain on the facilities where people have to pay , than there is when they are covered by an insurance scheme. That is true, I suggest, quite apart from the problem of the neurotics, which the hon. Prime Minister (Mr. Frost) mentioned. Neurotics we will always have with us, and a good many doctors -- I do not know about the hon. Minister of Health (Mr. Phillips) -- spend a large part of their life looking after imaginary complaints.

MR. FROST: That is where they make their money.

MR. JOLLIFFE: The hon. Minister (Mr. Phillips) knows that happens, I will say nothing of a discriminatory nature, but it does happen in regard to some ladies of means, who have no better way of spending their time nor their money than consulting their favorite physicians.

Apart from that problem, there is something else I want to say, and that is if our present facilities are able, with difficulty, to meet the demands placed on them, or, at least, can do it better than if we had an insurance scheme, it is due in large part to the fact that there are people in this province who do not seek the treatment they should seek, for financial reasons.

Do not misunderstand me. I know there are those who can afford to pay, who can get hospital treatment if they are bold enough to seek it, but , Mr. Chairman, the hon. Prime Minister (Mr. Frost) himself comes from a rural riding and knows as well as I do that there are a large number of rural people who are too proud to incur a liability they cannot meet, and they will not

undertake an obligation which they feel they cannot pay, and they refuse to run up doctor's or hospital's bills, feeling that they cannot pay them.

I think the hon. Minister (Mr. Pnillips) knows that is true, that there are people who will not get their spectacles, and who will not do what they should do, will not have an examination, will not go to the hospital, when they should.

And so I say, Mr. Chairman, that the shortage is here. Perhaps in British Columbia it is a little more obvious, but it is here, and a large number of our people are doing without the facilities or service which they should get, for economic reasons.

One of the great merits of the hospitalization plan, or the larger scheme such as they have in the United Kingdom, is that it brings the shortages into the lime-light, and the government finds out how desperate the shortages are, and how much more remains to be done. I suggest to the hon. Minister (Mr. Phillips) that if he looks at it, that way, he may come to a somewhat different conclusion.

MR. FROST: We are looking at this problem with an open mind. It is a very great problem, even when we study what other people are doing, trying to get the experience background of others. The hon. members know that in such legislation as the fair employment practices, and pay for women, and so forth, we try to get the experience of others, and their background, and there are many different views, and a study of this, is being conducted along the same line. I may say that I have many files which I have obtained from the Department of Health in connection

with hospital schemes and health schemes and other jurisdiction. While there may be desirable features in all of them, there are none of them which has all the answers. I have not seen one yet.

MR. JOLLIFFE: That would be true of any building, or anything else which might be attempted. I am glad to know the experience elsewhere is being considered, but we have no right to point the finger at British Columbia --

MR. FROST: Oh, no, no.

MR. JOLLIFFE: -- or the United Kingdom, and say they have undertaken something they cannot cope with. If there is a shortage -- and there must be -- some system of rationing will have to be placed upon the British scheme, and upon the one in British Columbia. The question is what form the rationing should take. Surely there must be some different formula than is used in rural Ontario, where the system is not economic.

MR. FROST: Look at the indigent bills we are paying.

MR. JOLLIFFE: I am concerned about the people who are unable to pay, and refuse to incur the liabilities, and are too proud to accept liability, and there are thousands of them.

Vote 69 agreed to.

Hon. LESLIE M. FROST (Prime Minister): Travel and Publicity, Vote No. 191.

On Vote 191.

MR. DENNISON: I notice we have someone working on provincial historical sites. I wonder if the hon. Minister (Mr. Cecile) might tell us just how extensive are the plans for the development of these historical sites?

MR. CECILE: Mr. Chairman, I may say to the hon. Leader of the Opposition (Mr. Jolliffe) that this is still in its initial stage. An Advisory Committee was formed very recently, at the Provincial Tourist Conference. This really is in the initial stages yet, and I really have nothing to report upon it. They are working on it, and we hope to have the results in the very near future.

MR. DENNISON: I am very pleased, under this heading to note that the hon. Minister (Mr. Cecile) is finally securing some revenue for his Department. Last year I see they had a revenue of $388.00.

MR. EAMON PARK (Dovercourt): Mr. Chairman, would the hon. Minister (Mr. Cecile) like to tell us anything about the Northern Great Lakes area Council? Can we get any information about the arrangement under which it is set up, and the degree that we are participating in it?

MR. CECILE: I might say, Mr. Chairman, that the Council consists of representatives of the States of Michigan, Minnesota, Wisconsin, and the province of Ontario.

That was organized in 1945 for the purpose of co-ordinating the development in the four jurisdictions. It really has proven a very valuable means of exchanging information, dealing with the problems of customs, the foreign exchange, the conservation of historical sites, and so forth, and to a limited degree, its program is carried on by the Council from funds secured from annual membership fees.

You may have noticed an advertisement which ran last April, the cost of which was divided amongst the four

jurisdictions. They have, as you know, a plan upon which they are working at the present time. I might say this is proving satisfactory to all concerned, and has brought in a lot of good returns, by the way, and Ontario is very well satisfied and proud to be in that organization, because of the returns it has had from it.

MR. PARK: It is assisting in the development of a number of things. By the way, there is some talk about an international park up in the Northwestern Ontario -- Quetico Park; has the hon. Minister (Mr. Cecile) any views on that? I understand it was developed as a travel proposition.

MR. CECILE: I would say that it is still in the way of thought.

(TAKE "M" FOLLOWS)

MR. J. L. EASTON (Wentworth): Mr. Chairman, may I ask the hon. Minister (Mr. Decile) this question: He has 180 acres in Burlington from the old Brant homestead; could you tell me who would have the job of developing that area as a park or for whatever purpose? The land may belong to the Department of Highways, but the old Brant home is on there, it is a museum now.

MR. CECILE: I would say that we, as a Department are not interested in that at all.

MR. EASTON: You have nothing to do with it?

MR. W. L. HOUCK (Niagara Falls): Mr. Chairman, on 8 under 191: Who is the Chairman of the Historical Advisory Committee?

MR. CECILE: Here are the members, Mr. Chairman:

Major John Barnett is the Chairman. He is past President of the Ontario Historical Society.

The secretary is Mr. D. F. McCluat, Assistant Provincial Archivist.

Mr. W. H. Cranston, The Huronia Historic Sites and Tourist Association.

Doctor Fred Landon, University of Western Ontario.

Mr. Harold Garner, Peterborough,

Mrs. Ella Cork, Canadian Tourist Association

Vote 191 agreed to.

On vote 192.

MR. W. L. HOUCK (Niagara Falls): Mr. Chairman, in regard to the information bureaus or reception centres, may I ask the hon. Minister (Mr. Cecile) how many information bureaus we have now in the province--or I think you call them "reception centres?"

MR. CECILE: That is right, 15, Mr. Chairman.

MR. HOUCK: Well, Mr. Minister (Mr. Cecile), you have one I think in the Princess Elizabeth Building at the Falls; is that

complimented to you from the Parks Commission, or do you pay a rent to the Parks Commission for the use of that building?

MR. CECILE: Yes, we pay rent to them, Mr. Chairman.

MR. HOUCK: Do you know how much, Mr. Minister (Mr. Cecile)? Or probably the Parks Commission Chairman could tell me.

MR. CECILE: $600, Mr. Chairman.

Hon. C. DALEY (Minister of Labor): A very modest rent.

MR. HOUCK: I should think, Mr. Minister (Mr. Cecile) the Park Commission are liberal enough so that you would not have to pay anything for that.

MR. DALEY: As a matter of fact, I am trying to get them out of there.

SOME hon. MEMBERS: Oh, oh.

MR. W. H. TEMPLE (High Park): Mr. Chairman, would the hon. Minister (Mr. Cecile) let us know if he uses an advertising agency in the preparation of the publicity material, and if so, what advertising agency he is using?

MR. CECILE: As a matter of fact, Mr. Chairman, we are using three agencies.

MR. TEMPLE: Could you let us know the names of them?

MR. CECILE: There is the Locke Agency and the McConnell Eastman Agency and also the McKim Agency.

MR. J. B. SALSBERG (St. Andrew): Mr. Chairman, on vote 192, publicity, I was wondering--

MR. CECILE: What number?

MR. SALSBERG: 192, vote 6. I was wondering from time to time why the advertisements we place in some of the most important American newspapers are so much smaller than the advertisements placed by the Province of Quebec. This is particularly true in the New York Times which is, as I gather,

a very important medium for travel advertising. I was wondering whether it is because the Department is not given enough money, or whether it is because they feel that the space they buy is sufficient.

Now, if they think it is sufficient, I am satisfied to accept their judgment; but if it is that they are deprived of the nedessary funds I, for one, would not hesitate to vote for a larger appropriation if the hon. Minister (Mr. Cecile) thought that was necessary in order to do the publicity that is required.

MR. CECILE: Mr. Chairman, I would answer the hon. member (Mr. Salsberg) by saying that the main reason is that we have less money to spend than the Province of Quebec.. However, we are satisfied with the results as they are, and we believe they will possibly increase as we go along. For the time being our advertisements are proving very satisfactory.

MR. SALSBERG: If you want more money, just ask for it.

MR. W. L. HOUCK (Niagara Falls): Mr. Chairman, I wonder if the hon. Minister (Mr. Cecile) would let me know, if he knows, what proportion of the money spent on advert sing is spent in the United States.

MR. CECILE: I would judge, Mr. Chairman, that we spend about 80% of the money.

MR. HOUCK: 80%?

MR. CECILE: In the United States.

MR. J. L. EASTON (Wentworth): Mr. Minister (Mr. Cecile), what concerns me, in catering to the tourist industry, isthat we have only one type of park to attract them and we seem to concentrate more on fish and game to appeal to those tourists who are only interested in those fields, in the recreation, the fish and game. Now in New York State there is every type

of park. They have the Jones Beach Park, they have parks in which people can set up tents and they are all operated under the State Park Commission. We have in Ontario the Niagara Parks Commission, we have lands owned by the Department of Highways, we have parks administered by the Parks Commission and the Department of Lands and Forests. It seems to me we should have a Commission that would develop parks and amusements that would interest all the people--all types of people, not just concentrate largely on people who liketo fish and hunt.

I think we are making a big mistake by not appealing to a wider section of tourism anddeveloping attractions along the lines they do in New York State. I am sending books over to you afterwards and you will understand what I am trying to get at.

MR. CECILE: Mr. Chairman, I might point out to the hon. member (Mr. Easton) that there is really only about 15% of all the tourists that come to Ontario who are interested in fish and game. The balance of it is really touring and sightseeing.

You must figure out that we have a very, very large province,with a very small proportion of whatever population there is in the United States and we have quite a few natural parks that tourists find out about and also places where they can put up their tents, as you say. Also the Department of Highways has quite a few nice parks in Northern Ontario which can be used very nicely and the surroundings of which are very attractive according to the comments we get from the people using them.

But I would like to point out again that only 15% of the tourist people who come to Ontario are interested in fishing and hunting.

MR. R. THORNBERRY (Hamilton Centre); Mr. Chairman, would the hon. Minister (Mr. Cecile) tell us if there is any report as yet on the effect of the licensing of tourist homes and their inspection, because there have been complaints from time to time by American visitors that there is poor service in the way of our tourist homes. I know, my own limited experience, that in comparison with the State of Maine our tourist homes are not on a par either in price of service. I would expect that the licensing and inspection would tend perhaps to correct that condition. Is there any report on that?

MR. CECILE: Mr. Chairman, we agree that we are progressing each year and our reports tell us that. As you know, according to regulations we inspect all tourist accommodations that are not licensed by any other body such as the Department of Lands and Forests or the Liquor Licence Board and provided that they have five rooms or more. Those under that size we encourage the municipalities to look after.

We have had rather good cooperation and our standard is really improving every year. My report is that already over the last two years we have over 100 new motels, the new thing today, and that the ordinary rooming house and home of that description is really dwindling away.

MR. W. L. HOUCK (Niagara Falls): Mr. Chairman, I think the hon. Minister (Mr. Cecile) will agree with me that in the last two years there has been a quick turnover in regard to stopping in tourist homes and motels and cabins. We find in Niagara Falls that the tourist homes are filled only after the motels and the cabins. It seems the travelling public first will go to a motel and if they are filled they will go to a cabin, and if they are filled, then they wiil look for a

tourist home. I think that the hon. Minister (Mr. Cecile) will also agree with me that the municipalities do look after the inspection of the tourist homes and are doing a good job--at least we are in Niagara Falls in that respect.

And while I am on my feet, may I ask the hon. Minister (Mr. Cecile) if he has given any thought to the idea of the change and exchhnge of the Canadian dollar. When that was first broached in Niagara Falls last Spring, I personally thought it was a silly idea, but it met with a lot of enthusiasm, and the idea was only originated a few weeks when we were receiving numerous requests every day to take home a Canadian dollar as a souvenir of their trip to Ontario and Canada.

Have you given any thought to the idea of spreading that right through the province?

MR. J. B. SALSBERG (St. Andrew): The silver dollar.

MR. CECILE: Well, I think the idea expressed there, Mr. Chairman, is really one for promotion between the operators themselves. It has a good effect in some spots but so far as the Department is concerned, it is pretty hard for us to suggest that. The operators themselves, I guess, could do it, or the local boards of trade and that sort of thing. In some spots I understand it has been quite successful, I believe in Niagara Falls, which is really enterprising.

MR. A. A. MacLEOD (Bellwoods): Could we put a picture of the hon. Prime Minister (Mr. Frost) on the Canadian silver dollar?

MR. HOUCK: There would not be any call for them.

MR. MacLEOD: Would you put a picture of the hon. Prime Minister (Mr. Frost) on the Canadian silver dollar?

AN hon. MEMBER: Sure.

MR. L. E. WISMER (Riverdale): I understand there is some

difficulty on the Muskoka Lakes as a result of the Noronic fire and other similar disasters, through the Department of Transport at Ottawa, has stiffened up the regulations in regard to fire services and protection on ships, I believe there are two steamers plying on the Muskoka Lakes which will have to be brought up to date in order to match those regulations to become safer for travel and I understand there is a good deal of use made of those ships in the Summer season and that there is some concern among the people up there that the company may not be able to afford to put the amount of investment in it. I wondered if the hon. Minister (Mr. Cecile) has anything to suggest whereby perhaps the Departmentmight be able to assist.

MR. CECILE: Mr. Chairman, I must say that the parties interested have come to me in that respect. It is unfortunate but our Department feels that this whole service might be discontinued this year. We realize that it will probably hurt people in Muskoka or the surrounding districts at least, the tourist centres, very much. However, there is nothing in the way of financial help that I can do about it in my Department, and I do not know of any other that can afford to do it. So really you give me an opportunity at this time, Mr. Chairman, to make an appeal to any hon. member of the House here who would have a few thousand dollars he would like to invest. I think it would be a very good time to do it.

SOME hon. MEMBERS: Oh, oh.

(Take N follows)

MR. WISMER: I was wondering if you might apply to the Municipal Improvement Corporation. They have quite a lot of money.

MR. G.E PARK (Dovercourt): I wonder if the hon. Minister of Travel and Publicity (Mr. Cecile) would indicate if he has given any consideration or if the government has given any consideration, to entering into the tourist accommodation business by building tourist resorts in Algonquin Park, Temiskaming, Kenora, Haliburton or any one of the resort areas in the province. Some of the governments of western provinces have entered into this particular type of business. It has been very profitable. I think there is a real opening in the province of Ontario for the government to construct modest type resorts in order to attract tourists and also to provide accommodation for holidays for our own people.

MR. CECILE: I might say with respect to that, Mr. Chairman, that I do not believe the government should build any accommodation of that kind. I think the people of Ontario need all that revenue. As far as I know there is nothing of that sort going on.

Vote 192 agreed to.

On Vote 193.

MR. W. DENNISON (St. David): Mr. Chairman, on Vote 193, I want to bring up the matter of the booklet called "Ontario Government Services". I want to say a few words about the editorial policy, shall we say, of this publication, which presumably is a non-biased publication, published by the province of Ontario purely for the information of our citizens throughout the province at the taxpayers' expense

and no doubt visitors to the province. An amazing thing about this publication is that although I have read every issue fairly faithfully I have yet to find an issue where there appeared a picture of anyone in this group -- the CCF group -- or anyone in the Liberal group, in the past year or two of this publication. Every issue of the publication, however, never fails to blossom out with three or four pictures of Cabinet Ministers and particularly of the hon. Prime Minister (Mr. Frost).

I think that this publication could be made more readable to the general public, to Old Man Ontario, if it were lifted a little bit more out of the stage of being a propaganda sheet for the government, and make it more of an information sheet without so much political bias.

I have before me the issue of March 1st and on the two inside pages there is contained the speech of the hon. Provincial Secretary (Mr. Welsh) on civil defence.

Hon. G.A. WELSH (Provincial Secretary): Did you not find it interesting?

MR. DENNISON: It was quite a speech. I had already heard it, so I did not read it. I presume it is word for word. What amazed me after such a spread -- I looked for an item in the Budget of at least $100,000., after a speech like this -- was that there was only $25,000.

I have another copy of December 15, in which the government announced the nine-man advisory committee to advise on forest policy. Here we have government propaganda gone nudist. We have the hon. Prime Minister (Mr. Frost) quoted as saying:

> "Our forestry practices must be the very best." To protect the forests, to see that their yield is sustained and treated as a crop and to replace losses of the past hundred years."

Of course, the hon. Prime Minister (Mr. Frost) is blaming some previous Tory administration at that point. That is the only blame I could find of a previous Tory administration. The hon. Prime Minister (Mr. Frost) goes on to say "this Committee will advise the Minister of Lands and Forests and will ensure the continuity of policies required in the long-term job of protection and restoration." The Committee will do no such thing as that. It may do it but this House has no assurance that that will result from this Committee. We go on to some additional information. I am sorry the hon. member for Kenora (Mr. White) is not here, because now I find out where he gets his speeches.

On page 4 of this publication word for word we find the speech of the hon. member for Kenora (Mr. White) in support of the government policy. Some of these statements are really pretty far-reaching, refering to such statements:

> "Already very far-reaching steps have been taken. Among them are : 15 million acres of pulpwood concessions improperly granted have been cancelled and returned to the Crown."

And:

> "Export has been halted and provisions made to terminate the same."

If it has been halted how do we need provisions to terminate it?

SOME hon. MEMBERS: Oh, oh.

MR. DENNISON: I think the editor over-reached himself a little bit. It is a bad thing when government members accept this as the truth when it is inaccurate because it is repeated by the government members and the false information is repeated a second time.

MR. DUNBAR: That should be "haltered" instead of "halted".

SOME hon. MEMBERS: Oh, oh.

MR. DENNISON: I think the hon. Minister of Municipal Affairs (Mr. Dunbar), with his farm background, has put his finger on the right word. Someone's finger slipped, however: it should have read "export has been haltered and provisions made to terminate the same." In other words, the door of the stable is not quite locked yet; the old horse gets out the odd time.

We are also told that:

> "A sustained yield programme has been initiated."

With all respect to the hon. Minister of Lands and Forests (Mr. Scott) I do not think he would make such a claim as that. A sustained yield programme cannot be initiated until we start planting to take care of the natural deficiencies in the natural crop rejuvenation. We are also told that this Committee has been appointed on the recommendation made by Major-General Kennedy, who, as a Commissioner reported "some time ago." That Committee was not appointed on that recommendation; that Committee was appointed under a Bill passed in this Legislature

two and one half years before and not implemented in Ontario government publications.

I am coming to my final suggestion to the government which I think will make this publication really appeal to Old Man Ontario and make him appreciate it. You will have Old Man Ontario reading it. I have heard complaints from people who will not read it, that there is too much guff and propaganda in it. I have heard complaints from people who used to be your supporters.

SOME hon. MEMBERS: Oh, oh.

MR. DENNISON: This Forestry Committee used two issues of it. It was also mentioned again on January 15. On January 15 we had further government information.

I have before me the Saskatchewan News. Now, there is a publication!

SOME hon. MEMBERS: Hear, hear.

MR. FROST: I would say to the hon. member for St. David (Mr. Dennison) that I have the Saskatchewan News. I always read it with great interest.

SOME hon. MEMBERS: Hear, hear.

MR. FROST: I had thought that our paper was much more moderate and restrained than the Saskatchewan News. We have many copies of the Saskatchewan News and also of the Alberta paper within our borders. I do not know whether the hon. member for St. David (Mr. Dennison) has read them. It is very difficult when one publishes news to satisfy everybody. Tastes of people differ. I say to the hon. member for St. David (Mr. Dennison) that the Saskatchewan News goes much further afield than our paper does in political comments.

MR. DENNISON: I realize the difficulty the hon.

Prime Minister (Mr. Frost) has in attempting to be an editor. Every editor seems to have his headaches. The Saskatchewan News, as the hon. Prime Minister (Mr. Frost) says, goes more into the political side than the Ontario paper does, nevertheless this is what makes the Saskatchewan News more readable. When you step into the political field, as this Ontario publication does, I think you should step into it from a logical standpoint and let the chips fall where they may. Publish something the oppo sition says now and then. I think that would be a wonderful thing.

MR. PARK: Put in a picture of the hon. member for St. David (Mr. Dennison).

MR. DENNISON: I have the issue for February 15, 1951, of the Saskatchewan News. It publishes extracts on the front page. On the second page it devotes two full columns to the Liberal opposition, Mr. Tucker. The headline reads:

> "Non-confidence motion is defeated 21-18 in first vote of Saskatchewan Session."

They then quote word for word Mr. Tucker's speech and two columns are devoted to the hon. Prime Minister's speech. I notice several times during the year one sees in the Saskatchewan News something about the opposition. When I read the Ontario Government Services I am just a little alarmed because there is nothing said about the opposition. Visitors coming to this country, finding nothing in this publication about opposition leader might jump to the conclusion that this is another issue of Pravda, or something else, where there is no opposition allowed. Opposition is a very helpful thing. I pass this on in all sincerity to the Minister of Travel and Publicity (Mr. Cecile). I am

sure it will be much more interesting if you put some opposition speeches in.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: That is, if the opposition make interesting speeches.

SOME hon. MEMBER: We make more than you do.

MR. W.G. GRUMMETT (Cochrane South): Mr. Chairman, last year I made some suggestions to the hon. Minister (Mr. Cecile) indicating the type of tourist camps or cabins and so on which should be allowed to operate. I wonder if anything has been done in that connection. My idea was that you might go to a tourist camp. The appearance of it would seem to indicate that it was a first-class establishment but, after you get in, the cabins are dirty and unfit for human habitation. I say that with respect to the owners of a lot of the cabins. I understood that the hon. Minister last year was going to make some investigation and see if something could be done to indicate, in the approach to these cabins, the type or class of cabins kept in a particular resort.

MR. CECILE: I say to the hon. member for Cochrane, South (Mr. Grummett), after right now we have really a complete plan in general principle. We are discussing this matter with the representatives of those affected. We are also trying to find out the experience which is being enjoyed by British Columbia, Manitoba, and also in the United States. We are really in the progress of doing that. We hope, in the very near future, we will be able to submit plans which will be acceptable and which will, no doubt, come before the Legislature and we will get enabling legislation. We are really working on it.

N-8

Vote 193 agreed to.

Hon. LESLIE M. FROST (Prime Minister): Department of Public Works, page 92, Vote 164.

On Vote 164.

Mr. J.B. SALSBERG: (St. Andrew): Mr. Chairman, until the other hon. members get warmed up to these Estimates I would like to take a minute or two only to draw the attention of the hon. Minister of Public Works (Mr. Doucett) to a discussion which took place in the House during his illness revolving around the salary, or, rather, the wages or wage rates paid to workers employed by this Department or particularly to those employed in the cleaning department of this building and other buildings.

(TAKE "O" FOLLOWS)

In the discussion, Mr. Chairman, the facts were presented to the house to show that married men received a rate of pay which is 20¢ and more lower per hour than thanpaid by the City of Toronto to the same type of workers,and also that many workers are kept as casuals for very long periods and, therefore, are receiving a lesser rate of pay than was granted to those who are on the permanent staff. The hon. Prime Minister (Mr. Frost) stated at the time that this matter was being looked into and that there would be a revision in the rates in the month of April. Now, the hon. Minister (Mr. Doucett) is back and while undoubtedly the pronouncement of the hon. Prime Minister (Mr. Frost) is to be taken as being for the Department, nevertheless, it would be appreciated if the hon. Minister (Mr. Doucett) immediately in charge were to make a statement about this question unless he has not had a chance to acquaint himself with the discussions which went on here and which resulted finally in the statement from the hon. Prime Minister (Mr. Frost) which received a great deal of publicity in the Provincial Press. That will be enough to start off the discussion.

MR. DOUCETT: That is under Vote 167. I might say to the hon. Member for St. Andrew (Mr. Salsberg), if you wish to take it that way or as we go along with the votes?

MR. SALSBERG: It is a general question covering a general problem that is true in many branches.

MR. DOUCETT: I will answer now if that is the way you want it. In the position of labour, I do not

know what the hon. Prime Minister (Mr. Frost) told you because I was absent and have not discussed it with him since, but it is true we are making a change or stepping up the rates into another category. Now, you mentioned something, I think, regarding -- I could not get it, there was a lot of coughing going on, - but I thought what you were getting at was a difference in the pay of the city workers and the government workers. I presume you mean - do you mean trades or just ordinary labor?

MR. SALSBERG: Ordinary labour.

MR. DOUCETT: Well, I do not know what that is.

MR. SALSBERG: 20¢ and more an hour difference in favour of the city.

MR. DOUCETT: Well, I am not in a position to give you the city rates because I have not got that. Our rates are, first, annual, and then, of course, we have monthly rates and hourly rates. Now, the rates will go to 99¢ an hour for night work, from 88¢ to 99¢ and monthly they will go to $153.33. There are several rates. The minimum rate now where they start, that is, on cleaners it is $1,540. will be dispensed with and will be starting at $1640. and putting that drop off on the opposite end so instead of stopping at $1,840. it will be $1,940. plus Cost of Living according to the survey.

MR. SALSBERG: Am I correct in concluding from what the hon. Minister (Mr. Doucett) said that the lowest rate for unskilled labour will be 99¢ an hour?

MR. DOUCETT: No, that is a different thing altogether. I say the $1,640. would be the starting for the year and by the hour - well, are you discussing men or women?

MR. SALSBERG: I am discussing men, but I am willing to discuss women.

SOME hon. MEMBERS: Oh, Oh.

MR. DOUCETT: Well, there is a difference in the hours they work.

MR. SALSBERG: Let me make it more specific, I know the hon. Minister (Mr. Doucett) is handicapped by his absence and I do not want to repeat what I said then. At present the basic rate is 73¢ an hour plus Cost of Living bonus, that is the basic rate to-day. The hon. Prime Minister (Mr. Frost) promised an increase in those rates. From what the hon. Minister (Mr. Doucett) has said a minute ago, I am willing to conclude that the basic rate will now become 99¢ an hour. Would I be correct in so concluding?

MR. DOUCETT: Yes, charwomen on the fourth year will go as high as 99¢.

MR. SALSBERG: Where will they start?

MR. DOUCETT: That is night work with their bonus.

MR. SALSBERG: And the day rate for men?

MR. DOUCETT: For men the day rate will be from 70¢ to 83¢ without bonus which would mean top bonus 94¢ and the bottom 80¢. The night rate would be from 92¢ to $1.09 or $1.14. You see, the night people have little less hours with a little higher pay.

MR. SALSBERG: It still leaves it much below that of the City employees, considerably lower than the basic rate paid by the City of Toronto to unskilled male labour.

MR. EASTON: Mr. Chairman, under "Public Building, Maintenance and Repairs", there is the sum of $3,150,000.00.

MR. DOUCETT: What item are you on?

MR. EASTON: Vote 170 in the Summary, Public Buildings.

MR. DOUCETT: How be we go back to the start, Vote 164 and then go along.

Votes 164 to 166 inclusive agreed to.

On Vote 167.

MR. MacLEOD: Mr. Chairman, on Vote 167, this is about the fifth or sixth time that I have raised this point and I am going to raise it again. I have been attempting to make the hon. Minister of Public Works (Mr. Doucett) aware of the discomfiture of the people who come to these buildings to listen to the debates in this chamber. I have repeatedly directed the hon. Minister's (Mr. Doucett) attention to those mourners benches up in either gallory where people come and try to take an interest in what is being said in this Assembly. Frankly I cannot see any reason why it is not possible to put proper chairs up there, the kind of chairs people sit on in a theatre, comfortable chairs. Why on earth should we have such outlandish seating accommodation. Did the hon. Minister of Municipal Affairs (Mr. Dunbar) ever sit up there?

MR. DUNBAR: No, I did not, but the gallories are never over-crowded.

MR. MacLEOD: You try it sometime and you will come back here and start a revolution.

MR. DUNBAR: They are not over-crowded except on opening day.

MR. MacLEOD: No, they are not and that is the reason, the people stay away because once they sit up there for half an hour, they never want to come back again. Is that not right? Even the children that come here, they only stay for a few minutes and are glad to get out. There is no reason why we cannot buy some chairs to put up in the gallories. There are a number of firms in Eastern Ontario who manufacture those chairs.

MR. DOUCETT: Where?

MR. MacLEOD: I think there is a place down in Brockville where you can buy them. I have raised this a good many times and I guess the hon. Minister (Mr. Doucett) has got to the point where he just shuts his ears and does not listen.

MR. DOUCETT: You even speak to me out in the corridor.

MR. MacLEOD: Yes, I do, I am serious about it. You should put them in the gallories and at the end there too. I can see the people are uncomfortable now, they have been there all afternoon. That is one thing.

The second thing I have tried to interest the hon. Minister (Mr. Doucett) in is the acoustics in the Committee Rooms downstairs. You cannot hear and you cannot breathe so you should see what

can be done to improve the acoustics and improve the ventilation. While I am on the subject of ventilation, may I call the hon. Minister's (Mr. Doucett) attention to the terrible ventilation in this chamber. It is bad, very bad indeed.

MR. McEWING: There is a lot of foul air.

MR. DOUCETT: That is right.

SOME hon. MEMBERS: Oh, oh.

MR. G.I. HARVEY (Sault Ste. Marie): It is all right up in this end.

MR. MacLEOD: There are ways of taking care of foul air and I think we should install the proper machinery to see that the air is purified after each speech has been made.

SOME hon. MEMBERS: Oh, Oh.

MR. MacLEOD: Last but not least, this is a matter I raised the other day while the hon. Minister (Mr. Doucett) was still ill, the inconvenience to which we are putting the staff in the building. Is the hon. Minister (Mr. Doucett) aware that every morning from 9.30, or 10 o'clock, up to 10:30 o'clock, there are, well, it must be several hundred people out to get morning refreshments in that little cafeteria at the end of the hall. If you were to walk down there at 10 o'clock or 10:30 o'clock you would see 30 or 40 people standing out in the hallway drinking coffee and eating doughnuts and buns and so on. It is not a very nice thing to witness. Now, there is not any excuse for that because there is a dining room there, the Members' dining room that is not used in the morning, it is not used until 12 o'clock. Is there

any reason why that dining room could not be left open so the employees in the building can go in and have their coffee and refreshments and sit there in comfort? I am not unmindful of the women who work in the dining room because naturally they do not like to have the place disrupted, but I do think if we kept the Members' dining room open to the staff up to 11 o'clock it would overcome this unseemly scene of having people eat out in the hallways.

MR. DOUCETT: I will discuss it with the Civil Service.

MR. MacLEOD: I am sure it is just a detail and a word from you will settle it at once. Those are the three things and I hope when we come back next year all three of them will be taken care of.

Vot 166 agreed to.

On Vote 167.

MR. W.H. TEMPLE (High Park): Mr. Chairman, on itsm 2 of Vote 167 I see there is a sum of $125,000.00 for telephone service. My experience with the telephone service in this building is, it is about the most antiquated that I have ever had anything to do with. I find I call the switchboard six or seven times and it always rings busy. I cannot get it. When I finally do succeed in getting it on the seventh or eighth try, I call the Department and I find the Department phone is busy. Then, again after another six or seven whirls at the job I do get the Department and I find that the hon. Minister is out or his deputy is out.

I have wasted the whole morning trying to establish contact. Now, why would the switchboard be so busy, is it because we havenot got the facilities?

MR. SALSBERG: Too many of the C.C.F. on the line.

SOME hon. MEMBERS: Oh, oh.

MR. DOUCETT: Mr. Chairman, this is a condition that exists and it is a regrettable one, and it is one that we think something should be done about. It has grown rapidly during the past few years, and, in fact, over many years material has been very difficult to get. The Bell Telephone has been expanding at a very rapid rate but I am happy to tell you that many months ago we gave an order to the Telephone Company to put in a new system and they are working at it and have been for several months. We are preparing accommodation for them which will be finished long before the material and equipment will be here for it, but it is a huge job, in fact, it is one that is going to cost over $1,000,000.00. I am happy to say it is not going to cost the government very much of that for equipment and the new set-up. Every one of our lines are overloaded, we have ten posts in our switchboard and if you were to go over there you would find everyone is overloaded. Now, laymen such as myself thought that we could add in another post or another board and it would eliminate that, but it is not possible to do that and we have to get this other system. It is underway and I hope will be developed as rapidly as possible.

It being six of the clock, the Committee took recess.

PROCEEDINGS

OF THE

THIRD SESSION

OF THE

TWENTY-THIRD LEGISLATURE

PROVINCE OF ONTARIO

Hon- (Rev.) M. C. Davies, Speaker

Volume XXXV

Wednesday, March 21, 1951.

Evening Session

AA-1

The Committee resumed at eight o'clock p.m.

Vote 167.

MR. J.B. SALSBERG (St. Andrew): Mr. Chairman, on 167, item 5 provides for maintenance of government buildings, and I want to raise at this time a question that I raised before, namely, the responsibility which I think the government should have to help the Canadian coal industry in entering the central Canadian market, particularly the market in Ontario. Last fall, I think, the hon. Minister of Public Works (Mr. Ducett) issued a statement to the affect that a number of public buildings, hospitals etc., were going to use western coal, and I am wondering why this policy cannot be extended to apply all buildings which the government owns?

The western as well as the Nova Scotia coal fields produce every type of coal that is required for the heating of buildings, and we can give meaning to the talk about maintaining employment, developing natural resources and providing domestic markets for some of the basic industries -- and coal production is certainly a basic industry.

I do not suggest that the government of Ontario can solve the problem that the coal producers and coal miners are up against, it is a problem that will require more than provincial government intervention, but I do suggest that we could set an example to private industry and certainly help raise the issue publicly to a level that will result in greater attention being paid to it than is the case at present. I also want to suggest to the hon. Minister (Mr. Doucett) that in the future all

coal required by the government for all its buildings should be procured from Canadian mines, east and west. It will also go a long way toward saving American dollars. The exchange rate certainly would be affected and certainly you would be making some contribution to one of the fundamental problems which are facing two sister provinces where coal production is a very important item and where the problem of markets is a major problem which has been facing them for many years.

That is about all I wanted to say on this question at this stage. I am waiting, however, until the hon. Minister (Mr. Doucett) returns to his seat -- I want to keep the question warm. I want to say that I do not know the approximate amount of the coal that we purchase directly for all our institutions, but undoubtedly it is of a considerable quantity and I think we could make a major contribution to this national problem and at the same time save a great deal of foreign exchange.

MR. DOUCETT: Mr. Chairman, I might say that where we can buy western coal we are doing it for our northern buildings this year, but we cannot get it here at anything near the price at which we purchase our present coal.

MR. SALSBERG: Well, Mr. Chairman, is it only a matter of price?

MR. DOUCETT: Well, it is difficult to get.

MR. SALSBERG: Well, you see, I think it is important that we be clear on this. I have no inside information.

MR. DOUCETT: Well, I am giving you the information now. We did not get a bid at all, or could not get a bid for western coal for these buildings here, that is the Parliament Buildings and the Psychiatric Hospital and

buildings down as far as College Street, such as the Banting Institute.

MR. SALSBERG: And Osgoode Hall? We couldn't get a bid?

MR. DOUCETT: No.

MR. SALSBERG: Could we get it from the Nova Scotian mine fields, and bring the coal in, in the summer?

MR. DOUCETT: Well, of course that is all handled by dealers on commission, and they did not bid on it either. We did not get a bid from any of them, as far as I know.

Vote 167 agreed to.

On Vote 168.

MR. J.L. EASTON (Wentworth): I thought perhaps my hon. friend (Mr. Salsberg) at the same time -- might refer to the Osgoode Hall atrocity, the wall that is around the property there.

MR. A.A. MacLEOD (Bellwoods): You did not give me a chance.

MR. SALSBERG: That is the hon. member for Bellwoods (Mr. MacLeod).

MR. DOUCETT: Is there a copyright on that?

SOME hon. MEMBERS: Oh, oh.

MR. EASTON: Well, at least I am going to back him up on this when he does get up to say something. When I come up University Avenue -- did you recognize the hon. member (Mr. MacLeod), Mr. Chairman? -- I know I am in constant fear of that wall falling onto me. Think of the loss to the Legislature.

SOME Hon. MEMBERS: Hear, hear.

MR. EASTON: I notice some of the brinks are falling out of the wall and I see we have 25% more added to the cost of maintenance. I think if we spend any on that wall, we are wasting it and I think if you are going to beautify University Avenue you can start right now and pull the wall down and let the people see the ---

Hon. LESLIE M. FROST (Prime Minister): We do not own that. That belongs to the Law Society.

MR. EASTON: We spend money on maintenance.

MR. DOUCETT: We have nothing to do with that at all, it belongs to the Law Society. The money we spend, as shown here is our part of the building of Osgoode Hall, it has nothing to do with the fence or the wall.

And you should be very careful, we will let you off this time, but my hon. friend (Mr. MacLeod), over here has a copyright on anything that is to be said about the fence or wall.

SOME hon. MEMBERS: Oh, oh.

MR. EASTON: I thought it was my hon. friend the member for St. Andrew (Mr. Salsberg), and I had my eye on him.

MR. MacLEOD: I am not going to make a speech on it, but I think you should use your influence, or the hon. Prime Minister (Mr. Frost) should use his influence with the Law Society to give the place a bath. It is an awfully dirty looking building. I think the hon. Minister of Education (Mr. Porter) agrees with that.

Hon. DANA PORTER (Minister of Education): No, I think it is a very fine building. I think it is a very beautiful building. I would not change it for the world.

MR. MacLEOD: You like your Law building dirty, is that it?

MR. PORTER: I think if we had a few more old, historic buildings like that, we would be better off.

AN hon. MEMBER: You've got 999.

MR. MacLEOD: Picasso art.

MR. PORTER: The hon. member for Wellington North (Mr.McEwing) mentioned the building with the leaking roof up there. Give me some of these old buildings. You go to the Old Country and a building is no good unless it is 300 years old. In this country if the building has one or two bricks falling off the wall, you complain about it and want the taxpayers' money spent on it. This is all right, and I am all in favour of it.

AN hon. MEMBER: It is another Picasso.

MR. H.L. WALTERS (Bracondale): Better go up and visit 999 for your holiday.

Vote 168 to 171 inclusive agreed to.

On Vote 172.

MR. R.A. McEWING(Wellington North): Mr. Chairman, could the hon. Minister (Mr. Doucett) tell us how much was used last year on this aid to drainage under The Provisional Aid to Drainage Act? How much was spent on that last year?

MR. DOUCETT: $150,000.

Mr. McEWING: $150,000.?

MR. DOUCETT: Yes, as near as I have it.

MR. McEWING: I see.

Votes 172 and 173 agreed to.

On Vote 174.

MR. J.D. BAXTER (Prince Edward-Lennox): Mr. Chairman, I would like to say a word to the hon. Minister (Mr. Doucett)

on 74 regarding the Kemptville Agricultural School. I do not know whether he has in his programme this year any expansion of buildings there, but this school is doing a grand work in eastern Ontario in expansion services, soil analysis and insect life, and there are many of us down there that feel that its record is one of greater service, actually, to the farmers in some ways than the OAC, in that the students that go to Kemptville generally return to the farms to carry on their work there, whereas those who go to Guelph become specialists and do not return to active farming. We are not quarreling with Guelph, but we feel the time has come, particularly in Eastern Ontario, for further facilities at Kemptville. The alumnae are very anxious about it and I have been there on a couple of occasions and they are certainly cramped for space.

What they need now badly and essentially is a Science Building where they can have classroom space, laboratory space and office space. In addition to that, they do need an auditorium or hall in which they can have a seating capacity of at least 500, where they can have extra-mural activities and carry on public speaking and such like.

We do feel that Kemptville Agricultural School and their staff there are doing a grand piece of work, but the time has certainly come and I hope the hon. Minister (Mr. Doucett) will see his way clear to looking into the situation and at the earliest moment at least provide us with a Science Building down there, because they need it, and Eastern Ontario agriculture needs it as well.

I hope the hon. Minister (Mr. Doucett) will think kindly of it when going through his plans this year.

MR. DOUCETT: I might say we have quite an item in for Kemptville this year. We are finishing the water system we started there, at a cost of $38,000., and we have $200,000. in for a new Engineering Building which will be started.

MR. F.R. OLIVER (Grey South): Could the hon. Minister (Mr. Doucett) give a breakdown of that $10,000.?

MR. DOUCETT: Pardon?

MR. OLIVER: Could you give us a breakdown of that $10,000. figure for public buildings?

MR. DOUCETT: As departments?

MR. OLIVER: No.

MR. DOUCETT: As to what buildings are being constructed?

MR. OLIVER: Pardon?

MR. DOUCETT: As to what buildings are to be constructed?

MR. OLIVER: Yes.

MR. DOUCETT: Yes, I can give you that.

MR. OLIVER: Well, that is what I want.

MR. DOUCETT: It is quite a lengthy item.

MR. OLIVER: Well, give us the major ones then.

MR. DOUCETT: We have at Guelph two or three items, the construction of a new reservoir by the fire Marshall's request; started general fireproofing of many buildings to cover the cost of which we have $215,000. in there; we have an item of $200,000. in for work at Kemptville, as I said -- $$38,000. to finish what is started. Ridgetown, an item of about $115,000.

MR. E.B. JOLLIFFE: (Leader of the Opposition): Is that the school?

MR. DOUCETT: To complete the students' dormitory. And we have for the Law Enforcement Branch several items, not any very large ones, and at Long Lac, Hearst, Schreiber, Ignace, Armstrong, Nakina, Geraldton, Beardmore, Nipigon, Chapleau, Red Lake, Atikokan, Warren and Wite River. Those are for detachment buildings, and they would run from $20,000. to probably $50,000.

(TAKE "BB" FOLLOWS)

That in all it would amount to about $300,000 and some odd. Now, the Brantford School for the Blind started a construction of the junior school, an item of about $250,000 for this year, and a small item of $10,000 to complete some work we had started last year. Then we have the Normal School, general improvements, the Hawkesbury Provincial Institution of Mining, general improvements, only a small item of $10,000 and special new projects for setting up and preparation of plans for increase and accommodation in the Normal Schools, and the Ryerson Institute of Technology, $50,000.

We have Aurora, $27,000 will complete the work we started up there. Brookdale, to start renovations and alterations to provide a new food service center, an addition to increase bed capacity, an item of about one quarter of a million dollars. Cobourg is another, $70,000. Fort William, that is bringing down that item you mentioned, that is just a small item there. Hamilton, about $112,000 to continue a fireproofing program to commence the main work on the plant, we intend to continue fireproofing and other things mentioned by the Fire Marshal, $150,000 and to continue on we expect it will cost about $2,000,000 this year for the Montague Hospital, the work we will have to do on that. That is on "A" three, probably $500,000. London, we have an item in there about $75,000, New Toronto, we are doing some fireproofing out there and general renovating and repairing, about $70,000.

MR. MILLARD: Before the hon. Minister (Mr. Doucett) goes on, would you refer to that item about $2,000,000, what is that for?

MR. DOUCETT: For work that we expect to do this year on the Hospital at Montague, now under construction. We hope that by the end of the coming fiscal year, we will have another 900 bed pavillion ready to hand over to the Department of Health.

MR. JOLLIFFE: It was not clear to me from the hon. Minister's statement (Mr. Doucett) just what was covered in connection with the Normal Schools. Are these merely improvements?

MR. DOUCETT: That is right.

MR. JOLLIFFE: They do not include any new buildings?

MR. DOUCETT: No, repairing and maintenance.

MR. F.O. ROBINSON (Port Arthur): I would like to ask a question. Is it the intention of the Department to do anything about the Port Arthur Registry Office in the coming year?

MR. DOUCETT: Yes, we have given consideration to that, I cannot tell you just exactly how far we have gone with it, but it is not one of the things we are going to go at immediately.

MR. ROBINSON: I would like to add a few remarks, Mr. Chairman. The Registry Office we have in the city now, as the hon. Minister (Mr. Doucett) knows is in the neighbourhood of forty years old and it is entirely inadequate insofar as size goes and in the design of the building, it is not at all the proper building to store the precious records that are stored there. It has been condemmed at least twice by the Grand Jury and I would like to put in a plea, to press forward and try to correct that situation in the year 1951.

MR. DOUCETT: I was answering the question of the hon. member for Grey South (Mr. Oliver).

MR. OLIVER: I almost thought you had got to the 10,000,000. I thought you had finished it.

MR. DOUCETT: Whitby, we have $60,000 in there and we have a few small items for Woodstock. And then, we have small jobs at Sault Ste. Marie, Fort Francis, Hills Lake, Westport, White Lake, South Bay Mouth and several other small jobs in connection with the Department of Lands and Forests.

Votes 174 and 175 agreed to.

On Vote 176.

MR. R.A. McEWING (Wellington North): Mr. Chairman, on Vote 176, the grant towards the Grand River conservation Commission, What do they expect to spend on that this year? I see you have $100,000 there.

MR. DOUCETT: That is under 176?

MR. McEWING: Yes, item 2.

MR. DOUCETT: The Grand River, well, this year we have an item there of $1,500,000.

MR. McEWING: Yes, that is for the conservation scheme as a whole but you have $100,000 there for the Grand River. Now I do not see any item there. Is there a breakdown on that? There is one dam under construction, I believe, this year but it does not cost that.

MR. DOUCETT: I would be glad to give you the breakdown.

MR. McEWING: It does not cost anything like that.

MR. DOUCETT: The Grand River, the total estimated cost that is for the Luther Dam, $250,000. Then, $93,750. and the upper dams, the total cost is $4,475,452. and the total cost to Ontario, $1,730,219.50. Completed in the year 1951-1952 it would be about $964,000 plus reforestation and the estimate there, a small item of $4,000.

Now, there is the Etobicoke -- Mimico Conservation Authority -- it is only a small amount of $10,000.

MR. McEWING: There is not anything in the Conestogo?

MR. DOUCETT: No, I do not see that here.

MR. McEWING: Perhaps the hon. Minister of Planning and Development (Mr. Griesinger) --

MR. GRIESINGER: There is nothing in there.

MR. DOUCETT: But it can be, if it is so set up. If they get their authority properly set up and the Department of Planning and Development recommended it.

MR. GRIESINGER: Over $4,000,000 for the Fanshawe.

MR. McEWING: The authority is set up for the Conestogo but not the approval from Ottawa.

MR. EASTON: Mr. Chairman, in Vote 176, item 5, I see there is an amount there to spend for remedial work to alleviate conditions in the erosion of farm lands. Would the hon. Minister (Mr. Doucett) indicate where the money is going to be spent and what Department requested this money to be spent in these areas? I am deeply interested in getting some of this money for the erosion on the Niagara Lake Property. Would the hon. Minister (Mr. Doucett) answer those questions?

MR. DOUCETT: This is in connection with the Burke Drainage Scheme which has caused great damage up there. Work was done in it some years ago and this year the Federal Government agreed with the Ontario government to spend $100,000 if we would spend $100,000 and finish it. The ratepayers in this territory did suffer very severe damage. It is in the County of Kent, and they contributed very large sums of money to this themselves. For yearsback there was one piece left unfinished. That is the piece in question here, and we have set up this year the sum of $100,000 to meet the expenditure on a 50-50 basis with Ottawa.

MR. EASTON: The second question, what Department of government requests these grants to be made?

MR. DOUCETT: No Department of the government. There was a conference between the Department of Public Works at Ottawa and the Department of Public Works in Ontario, and that agreement was arrived at.

MR. EASTON: I believe there is contemplated assistance to the municipality of Scarboro to assist them in their erosion problem. Is there any money in here allowed for that purpose?

MR. DOUCETT: I do not know anything about that, we have nothing in for that.

MR. EASTON: Does not this government intend to assist any of these municipalities? Along these lines, there is a great lot of farm lands and other valuable lands in this province. I would like this government to take it up and do something about it. Just having Conservation Committees report and then doing nothing

about it afterwards, is a waste of the public's money.

MR. THORNBERRY: Is the hon. Minister (Mr. Doucett) not going to tell the House if any steps are contemplated regarding the erosion on the lakefront? That is a very serious problem along the lake shore around Winona and that section where the lake eats back so many feet every year. I think it is the responsibility of this government.

MR. DOUCETT: I might say to the hon. member (Mr. Thornberry) that would be a matter which should go to the Department of Planning and Development. I think the hon. Minister (Mr. Griesinger) will tell you there is a preliminary survey or investigation going on.

Vote 176 agreed to.

(TAKE "CC" FOLLOWS)

Hon. LESLIE M. FROST (Prime Minister): Page 27. The Department of the Attorney General.

On Vote 23.

Hon. DANA PORTER (Attorney General): Mr. Chairman, I think, perhaps, before going into the various items in this Estimate I should make an explanation generally as to some of the figures shown here where there is a substantial difference over last year. At first glance it would appear to be a large increase over last year's expenditure. The Estimates in 1950-51 totalled $8,888,500. The total 1951-52 is $9,621,000. being an increase of $1,532,500. What I wish to point out is that approximately $900,000. of this increase provides for salaries of officials and staff in the offices of local registrars, the Supreme Court of Ontario, the Surrogate Registrars, County Court Clerks and also some employees in the Local Masters of Title offices. These employees are presently paid from the fees of their respective offices and are being placed on the pay roll in many of these offices now as of April 1, 1951; so that it will appear in these Budget Estimates as actually an increase in the amount provided for the payment of salary; whereas formerly they simply got a certain proportion of the fee, the Treasury got the balance, now the Treasury gets all the fees which otherwise formerly went to them, and we pay the salaries. These employees are paid from the fees. There are about 325 employees in these offices. By bringing them under the provisions of The Public Services Act they become eligible to contribute to the public service superannuation fund. The revenue to the province will be correspondingly increased. It does not represent an increase, referring to that $900,000., in the

cost of operations; it is simply a different way of handling it. Part of the large increase is $202,000. in the cost of living bonus. This is to provide for the increase in rate of bonus and for the 325 additional employees in the outside offices mentioned in the previous paragraph. Provision is also made for an increase of about $475,000. in the law enforcement branch to take care of additional staff, increases in salaries, increased travel and maintenance cost. A more detailed report I can give later when we come to those Estimates. I thought perhaps I should make that general statement in order that it would clear the general picture.

MR. C.C. CALDER: (London): Do I understand the hon. Attorney General (Mr. Porter) to say that the staffs of the County Registrars of Titles are taken on the permanent staff for the purposes of superannuation?

MR. PORTER: The County Court Clerks are, the Local Masters of Title are, the Local Registrars are. In some places some of the staff are. I do not think they are all on yet but we are working towards that. We think it would be a much sounder position to have all these employees throughout the province who have been taking something out of the fund, and there being a fluctuating revenue of that kind, it is much sounder to have them on the permanent staff with the rights of superannuation. We have a number of cases where people who are on the staff under the old conditions come to the age where they wish to retire and they have contributed to no superannuation fund at all. Of course it is a very difficult thing to let people out under those conditions. Now we are gradually getting them on to

the permanent staff so they will be in the same position as other civil servants.

Votes 23 and 24 agreed to.

On Vote 25.

MR. R. SCOTT (Beaches): On Vote 25, Mr. Chairman, I would like to ask the hon. Minister (Mr. Porter) what happened to half of these regulations? I was looking through the Consolidation the other day and I find that many of the regulation with respect to the most important Acts have not been consolidated. For example, why were the regulations with respect to the Liquor Control Act not published in the Consolidation? I find in the 1945 volume there were quite a few pages of regulations. They are not in the Consolidation. I went further and discovered that there are some 55 Statutes in respect of which the regulations have not been consolidated, or at least have not been printed in the Consolidation. I have quite a lengthy list of them here. Some of them are important Acts. I wonder where they are, or why they were not consolidated.

MR. PORTER: That matter was drawn to my attention a few days ago. The hon. members of the House may recall that an Act was passed in 1949, I think it was, providing for the consolidation of the regulations. In that Act the Registrar of Regulations and his Deputy were appointed to consolidate the regulations. It was pointed out to me the other day that there had been some omissions which had been done, apparently, in the discretion of the Registrar. For some reason he did not think that these regulations in all respects followed the statutory authority under the Act. I agree with the hon. member for Beaches (Mr. Scott) that

that is not satisfactory, that we have to correct that position. It will be necessary to publish an additional volume to take care of those regulations; they should be all consolidated. That was the original purpose. As soon as I discovered that some had been omitted -- quite a substantial number had been omitted, I took action. We are now proceeding to have an additional volume made covering that.

MR. SCOTT (Beaches): Will that include all these Acts which were previously omitted?

MR. PORTER: I think so, yes. I do not know of any reason why they should be omitted.

MR. SCOTT (Beaches): What was the reason they were not consolidated?

MR. PORTER: It was in the discretion of the Registrar who was appointed by Statute to do that.

MR. SCOTT (Beaches): Were they not properly registered, or something of that sort?

MR. PORTER: I do not know. He may not have thought they were.

MR. SCOTT (Beaches): But, in any event, they will be all included?

MR. PORTER: Yes. They will all be covered.

Votes 25 to 28 agreed to.

On Vote 29.

MR. R. THORNBERRY (Hamilton Centre): Mr. Chairman, on Vote 29, I wonder if the hon. Attorney General (Mr. Porter) could give the House a report with respect to Pelmo Park Housing Project Inquiry. I see where $15,000. was spent on that enquiry. It seems like a large sum of money to spend.

MR. PORTER: Item 29?

MR. THORNBERRY: It would come up under 29.

MR. PORTER: Where is that item?

MR. THORNBERRY: In the Public Accounts.

MR. PORTER: That is something which happened over a year ago.

MR. THORNBERRY: We have not had a report of which I know.

MR. PORTER: The report was tabled or filed a year ago and the House discussed it to some extent at the last Session.

MR. THORNBERRY: With $15,000. spent on an enquiry of that sort it would seem it would have been better economically to have spread that money among the people who lost ---

MR. PORTER: Well, a great deal was learned by some people as to many of these things. I have not that before me now.

MR. SCOTT (Beaches): Has the hon. Minister (Mr. Porter) done anything to see that will not be repeated in another situation?

MR. PORTER: I cannot prevent all the people in the province from entering into transactions and projects which are unsound. I cannot do that. If the hon. member for Beaches (Mr. Scott) can suggest some way of doing it, all well and good.

MR. JOLLIFFE: Cannot even prevent the government from doing that.

MR. PORTER: The government is being extremely sound on all things.

MR. SCOTT (Beaches): One of the difficulties in

Pelmo Park was that the original contractor began with Estimates which were hopelessly uneconomical, to begin with.

MR. PORTER: That was all discussed a year ago.

MR. SCOTT (Beaches): Have you done anything to see that it will not happen again?

MR. PORTER: That was all discussed a year ago.

MR. SCOTT (Beaches): You have not changed your thinking in a year.

MR. PORTER: There was nothing to do.

MR. R.A. McEWING (Wellington North): Mr. Chairman, under Vote 29, I am wondering whether or not it has been brought to the attention of the hon. Attorney General (Mr. Porter) that we have one or two Judges who have been travelling around the province and who do not seem to be very sympathetic with the idea the hon. Attorney General (Mr. Porter) has about our buildings. Everywhere they go, particularly one Judge, condemns the buildings in which he has to sit, refering to the County buildings. He has not apparently any use for these old buildings which you and I like.

MR. PORTER: Will the hon. member for Wellington North (Mr. McEwing) give me the name of the Judge, the name of the build ing and I will be able to deal with the question?

MR. McEWING: I think the hon. Attorney General (Mr. Porter) knows one of them particularly. He has travelled all around the province. I refer to the hon. Mr. Justice LeBel who was in the County of Wellington. He condemned their buildings.

MR. PORTER: The Hon. Mr. Justice LeBel?

MR. McEWING: Yes. They were not suitable at all.

MR. PORTER: It is a county building?

MR. McEWING: Yes. I am wondering, under the Act as it now provides, where the women are going to be allowed to sit on juries, there will be quite an additional expense to fix these buildings up to accommodate all these women jurors.

MR. PORTER: Why? Please be specific.

MR. McEWING: The Judge has been condemning our buildings because of lack of accommodation. There will be more reason than ever with women jurors. I think you should convey some of your ideas about these buildings to him.

MR. PORTER: I do not know what the hon. member for Wellington North (Mr. McEwing) is suggesting I should do. I do not appoint the Judge, nor does this government appoint the Judge. That appointment is made by the government at Ottawa, with whom the hon. member for Wellington North (Mr. McEwing) could use his influence. If the hon. member for Wellington North (Mr. McEwing) does not think the government is doing right things he can go down there ---

MR. McEWING: What does "administration of justice" mean?

MR. PORTER: Do you want an answer or do you not want an answer?

MR. McEWING: Surely.

MR. PORTER: I have just nicely started. If a Judge appointed by the government at Ottawa goes up to Wellington and criticizes the buildings, that does not say he is not a very fine Judge. The Ottawa government appoints him. We do not. We have no control over that. If he makes a statement that the building in Wellington county is not very good, that is a building which is built and paid for by

Wellington County.

SOME hon. MEMBER: What about the building in Lindsay?

MR. PORTER: The building up there is built by the local municipality and not by the provincial government. If the Judge does not think it is very good he is in the position of the hon. member for Bellwoods (Mr. MacLeod) -- it is a matter of opinion. If the building is not good enough and the Wellington County people are not going to make it proper, I am sure the hon. member for Wellington North (Mr. McEwing) will see they do.

MR. JOLLIFFE: Possibly in two or three hundred years they may have aged sufficiently.

MR. PORTER: I think the older they get the more dignified they get.

Hon. M. PHILLIPS (Minister of Health); I might say, Mr. Chairman, we had a Judge at Chatham complaining about a new building which had been built this year. We had a complaint from the Judge in respect of a new building, so I do not think they should not complain too much about an old one.

MR. C.C. CALDER (London): Mr. Chairman, before we leave item 29, a number of hon. members have today received a letter from a resident of London complaining that he has been wrongfully convicted. I will supply the hon. Attorney General (Mr. Porter) later with the name and particulars. At the moment I think all we can do is to go after the Department of the hon. Attorney General (Mr. Porter) to review the evidence of conviction. Perhaps the hon. Attorney General (Mr. Porter) would carry it further.

MR. PORTER: I am surprised to hear that any citizen in London was wrongfully convicted. I thought they were rightfully convicted up there. I will be very glad to review the evidence.

MR. G.B. ELLIS (Essex North): Mr. Chairman, On Vote 29, item 5, probably at this time the hon. Attorney General (Mr. Porter) should give us some indication of the state of the administration of justice on the local level throughout the province. In asking the question I do say from the experience which happened in Windsor where, after public indignation arose, it was necessary to ask the Crown Attorney to resign, to take the Magistrate off the police commission and so on down the line; in other words, there was obviously a complete breakdown in the administration of justice in that city. We have seen articles in the Press with reference to other cities and towns in the province where apparently the same thing has taken place.

(TAKE "DD" FOLLOWS)

So now the question is, to what extent does the hon. Attorney-General (Mr. Porter) supervise the administration of justice on the local level and whether or not the hon. Attorney-General (Mr. Porter) exercises any form of supervision in respect to the administration of justice in our towns, cities and villages throught the province.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: Well, of course, one of the extraordinary things about Windsor is that the hon. member (Mr. Ellis) never brought to me any difficulties in connection with Windsor.

AN hon. MEMBER: Oh, that was your baby.

MR. ELLIS: I said that you had to ask for the resignation of the Crown Attorney.

MR. PORTER: I am coming to that. I said it is an extraordinary thing that the hon. member (Mr. Ellis) who sits on the Board of Control of Windsor and is close to the situation, and knows better than anyone else what is going on, and is an hon. member of this House, never came to me ---

AN hon. MEMBER: What about the two government members from Windsor?

MR. G. E. PARK (Dovercourt): How about the hon. Minister of Planning and Development (Mr. Griesinger)?

Hon. W. GRIESINGER (Minister of Planning and Development): I am not a member of the Board of Control.

MR. PARK: You are an hon. member from Windsor.

MR. GRIESINGER: All right, let your Board of Control clean it up, that is what they are elected for.

THE CHAIRMAN: Order, order.

MR. PARK: What is the hon. member for Windsor (Mr. Griesinger) elected for? To say nothing?

MR. GRIESINGER: They never brought it to my attention.

MR. PORTER: The hon. member for Dovercourt (Mr. Park) should just keep his skirts clean.

MR. PARK: As the hon. Attorney-General (Mr.Porter) knows, Toronto is always clean.

SOME hon. MEMBERS: Oh, oh.

MR. PORTER: Well, I do not know whether I can agree with anything you say when you get to that point.

SOME hon. MEMBERS: "Toronto the Good, Toronto the Good".

MR. PORTER: Well, if the hon. member (Mr.Ellis) wants a full account of what occurred in Windsor, I will be very glad to give him it.

MR. ELLIS: Let us have it.

SOME hon. MEMBERS: Yes.

MR. PORTER: I thought everybody knew about it, but apparently they want a refresher course.

MR. E. B. JOLLIFFE (Leader of the Opposition): We do not want a refresher course, we want to know what happened.

MR. PORTER: You do not know yet?

MR. C. H. MILLARD (York West): We do not know whether or not the hon. Minister (Mr. Porter) knows.

MR. JOLLIFFE: The hon. Minister (Mr. Porter) knows perfectly well there are many unanswered questions about the Windsor matter.

MR. PORTER: Well, if the hon. member (Mr. Jolliffe) would ask one question I would endeavor to answer it. It is all very well for the hon. member (Mr. Jolliffe) to get on public platforms and on the radio, and tell the public there are all these unanswered questions, but we have been sitting here weeks and weeks and not one question has been asked.

MR. JOLLIFFE: Why did you fire the Crown Attorney? Tell us that.

MR. PORTER: I will come to that, but the hon. member, The Leader of the Opposition (Mr. Jolliffe) says there are all these unaswered questions, and the hon. member (Mr. Jolliffe) has not asked one question in all these weeks.

MR. ELLIS: Answer the question you are asked. Don't sit there all night.

MR. PORTER: I am going to answer your question.

MR. JOLLIFFE: This is the time to ask questions.

SOME hon. MEMBERS: Sit down.

MR. JOLLIFFE: I mean if the hon. Attorney-General (Mr. Porter) -- may I say that the Controllers in the city of Windsor are not responsible for the --

MR. CHAIRMAN: Let us have order. On both sides.

SOME hon. MEMBERS: Hear, hear.

Hon. G. H. DUNBAR (Minister of Municipal Affairs): Mr. Chairman, I thought you would have to call them down.

THE CHAIRMAN: Order.

MR. JOLLIFFE: A moment ago the hon. Attorney-General (Mr. Porter) was referring to a Controller of the city of Windsor. Now let me tell the hon. Attorney-General (Mr. Porter) something as a lawyer, that the Controllers

of the city of Windsor are not responsible --

MR. PORTER: That is right.

MR. JOLLIFFE: -- for the administration of justice or the law enforcement of Windsor, but the hon. Attorney-General (Mr. Porter) of this province is responsible for the administration of justice and the enforcement of law in the province of Ontario.

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: That is the first thing.

MR. PORTER: All right, what is the question?

MR. JOLLIFFE: And the second point is that when as many questions arose as did arise about Windsor, it is for the hon. Attorney-General (Mr. Porter) to answer the questions. And if those questions remain unasked in this House until the hon. Minister's (Mr. Porter) Estimates are before the Committee of Supply, that is because the Opposition knows the rules of order. This is the appropriate time, and let the hon. Minister (Mr. Porter) not try to sidetrack the discussion by saying that no questions have been asked during the Session. On the contrary, on the 1st day of February I invited the hon. Attorney-General (Mr. Porter) to make a statement during the Throne Speech Debate, and I do not recall hearing the hon. Attorney-General (Mr. Porter) make any statement.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: In connection with what the hon. member (Mr.Jolliffe) has said; I would agree that these matters come up properly on the Estimates, and I propose to deal with them, but in view of what the hon. member (Mr. Jolliffe) has said about all these "unanswered questions",

I wish to remind him of that prior to the calling of this Session, the hon. member (Mr.Jolliffe) made a statement which appeared in the press on December 12th, 1950. This is the report which appeared in the Globe & Mail December 12th, 1950:

> "---the official opposition in the Ontario Legislature yesterday gave notice that it intends to make the government's handling of the Windsor situation and the administration of justice generally, one of its main points of attack at the forthcoming Session.".

Well, if the hon. member (Mr. Jolliffe) thinks that what he said in the debate on the Speech from the Throne was an attack, or a challenge, or anything of the sort, he had better read Hansard and see what it sounded like, because it certainly did not require any answer. I thought he was satisfied. The article continues:-

> " 'The province was shocked at the revelations of gross incompetence, if not something worse, than that, in connection with law enforcement in the city of Windsor.'".

He did not say anything like that in the debate in Speech from the Throne. He handled it so deftly and carefully, and evaded it so neatly, I thought he was perfectly satisfied that everything was all right. And, further:

> "'The investigation, Mr. Jolliffe said, petered out as soon as it became apparent that the responsibility for some conditions in Windsor could be traced back to the Attorney-

General's Department.'"

Not a word of that for all these weeks. In the debate on the Speech from the Throne, not an hon. member opposite ever brought it up.

AN hon. MEMBER: Tonight's the night.

MR. PORTER: This goes on:

"Mr. Jolliffe also touched upon the death in Ottawa of Francis J. Sullivan, Chief Solicitor, Ontario Department of Lands and Forests".

Not mentioned by a single hon. member opposite.

And then this:-

""---the circumstances following the death and the failure of a provincially-appointed Coroner to notify the police until many hours after the event, were sufficiently disquieting to cause a special investigation to be ordered by the Attorney-General;" said Mr. Jolliffe. He added: 'Yet once again the matter was hushed up."

Not a mention of that in the debate on the Speech from the Throne, when after he had said this was going to be his main attack.

MR. JOLLIFFE: No.

MR. PORTER: I do not know whether I need to read the whole thing.

AN hon. MEMBER: Put it on the record.

MR. PORTER:

"Mr. Sullivan's widow has been charged with murder and her case is to come up

for preliminary hearing in Ottawa on Thursday morning."

MR. JOLLIFFE: I didn't say that.

MR. PORTER: No, that is the report.

MR. JOLLIFFE: That is just a characteriscally careless quotation.

MR. PORTER: Characteristically what?

MR. JOLLIFFE: Characteristically by careless quotation.

AN hon. MEMBER: Let us have the answers.

MR. PORTER: I am reading the report from the Globe ' Mail. Part of it applies to you and part of it does not:

"From many parts of the province there were reports of laxity and incompetence. 'It is obvious' he said,'that the administration of Ontario's part-time Attorney-General is no more satisfactory than that of the part-time Minister of Education.'".

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: Well, I do not know whether any full-time Minister of Education could have done very much better in the last two and a half years.

MR. PARK: There has not been a full-time Minister.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: Well then, that is the "full-scale inquiry" that he was going to launch. Here is a paragraph quoting the CCF leader, Mr. Jolliffe, as saying:

"The caucus of CCF members ..... has decided that one of our first acts when the Legislature opens, in just a few weeks now, will be to move for the appointment of a Select Committee of the Legislature to investigate the administration of justice and the entire administration of "the attorney-General's Department".

We have been waiting for that motion since February 1st.

MR. W. DENNISON (St.David): We have been waiting for some action on the motions we have on the Order Paper.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: You bring all this barrage of window dressing and the one motion you promised to move when talking to the public -- and the hon. member for Dovercourt (Mr. Park) was belaying some ex-member of the House for making some statements to his electors which he was not prepared to support and which the government was not prepared to support; -- I say the hon. Leader of the Opposition (Mr. Jolliffe) has promised that the first thing he was going to do when he came into this House was to call for this Select Committee and there has not been a word of it -- not a word of it.

MR. WISMER: We were waiting for the Easter recess.

MR. PORTER: All right then, he has not fulfilled his promise, because that was the first thing, as of December 12th, that he was going to do. Now when the Estimates come up, one of the hon. member (Mr. Ellis) asks a question which I propose to answer fully, And I am quite prepared to answer any question fully. I have

nothing to be ashamed of in this, this is a perfectly understandable situation which occurred and was dealt with, and it was dealt with effectively. And it was dealt with, if I do say it myself, it was dealt with well and thoroughly.

Now the hon. member for Essex (Mr. Ellis), it is true, is not charged with the administration of justice in Windsor, but he is a member of the Board of Control down there and if conditions were in such a deporable state as the hon. Leader of the Opposition (Mr.Jolliffe) says, if the conditions down there were so obviously deplorable, surely it is his duty as a citizen and as a representative of the council of the city of Windsor to lay some complaint, or give some information to the Attorney-General of this province, if he thinks and the people of Windsor think that something requires to be done. And there was not a word from the hon. member for Essex (Mr. Ellis), not a word.

MR. ELLIS: Well, Mr. Chairman, I have to rise on a point of order because obviously the hon. Attorney-General (Mr. Porter) does not know what he is talking about -- as usual.

SOME hon. MEMBERS: Hear, hear.

MR. ELLIS: I may go back a few years when the first delegation came to Queen's Park, interviewed the then Attorney-General (Mr. Blackwell) and asked --

MR. PORTER: They never interviewed me.

MR. ELLIS: All right they never interviewed you, no, because you are too busy. They could not get you in a corner long enough.

SOME hon. MEMBERS: Oh, oh.

MR. [illegible] hon. member of this House has had any difficulty in seeing me at any time. None.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: Whether they are in the opposition or on this side or anywhere -- or in between.

MR. ELLIS: I am questioning you. You made the charge that nobody from the city council, including myself, every complained to you ---

MR. PORTER: I said you never did.

MR. ELLIS: -- about the condition of the administration of justice in the city of Windsor. I want to correct you and give you the proper information. I want to inform you that two delegations from Windsor City Council came to Queen's Park and interviewed the then hon. Attorney-General, (Mr. Blackwell) and asked repeatedly whether or not everything was right and proper in respect to the administration of justice in Windsor and informed the then hon. Attorney-General (Mr.Blackwell) there was a great deal of public criticism and that the administration of justice in Windsor did not have the confidence of the people. But they were assured ---

MR. PORTER: Were you a member of that deputation?

MR. ELLIS: And I want to inform the hon. Attorney-General now that one delegation of which I was a member, which came from Windsor City Council, and we were assured in both cases that there was nothing wrong with the administration of justice in the city of Windsor -- absolutely. It was given a clean bill of health. And

repeatedly cases were brought before the then hon. Attorney-General (Mr. Blackwell) in respect to individuals, that there was some reason to believe that they got out the back door of the police court. And at every attempt that the council tried to put forth to bring these to the attention of the then Attorney-General (Mr.Blackwell) they were blocked. So now, there is an answer. It is quite true the council has not complained to the present hon. Attorney-General (Mr. Porter) but only because they had been repeatedly told that there was nothing wrong with the administration of justice in the city.

Now the only question I ask of the hon. Attorney-General (Mr. Porter) is, what authority is the hon. Attorney-General (Mr. Porter) exercising in respect of the administration of justice on the local level? That was the question I asked, and I got a bunch of nonsense from the hon. Attorney-General (Mr. Porter). Now I repeat the same question, what authority does the hon. Attorney-General (Mr. Porter) exercise in respect to the administration of justice on the local level throughout the province.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: And the hon. member (Mr. Ellis) also asked to link up my answer with the Windsor situation, and a full explanation, if he wants it, I am prepared to give. Now that the hon. member (Mr. Ellis) has spoken again, I have nothing against the hon. member (Mr. Ellis), I am sure that he knows perfectly well if he had come to see me about it ---

MR. PARK: Nothing would have been done.

MR. PORTER: I do not know what happened under the ---

MR. MILLARD: There might have been some more letters lost.

MR. PORTER: -- office of my predecessor. I would be glad to discuss this matter.

MR. JOLLIFFE: If he had brought you any letters, would they have been lost?

MR. R. THORNBERRY (Hamilton Centre): Do you read letters placed on your desk?

MR. PORTER: Well, what has that got to do with it? After all, if these are serious questions, if hon. members want a serious answer, well then, do not be frivolous about it. If you are going to ask a lot of foolish questions, made a lot of "wisecracks" on the subject, go ahead, but I am not going to give you a serious answer if you do not want one. But if you want a serious answer, I will give you exactly what happened.

(TAKE "EE" FOLLOWS)

MR. PORTER: All I can tell you is what happened when I was in this office. I do not know what happened before.

MR. MILLARD: Do you not take any responsibility for your predecessor?

MR. PORTER: You can take all the theoretical responsibility you like, but all I can say in this House is what I know of what happened when I was here. You can go out and argue all you like, but I will tell you what I know, and that is all I will tell you.

The first approach I had was from the Police Commission in the city of Windsor, in the early part of 1950 -- I think it was in January, 1950. The Mayor of Windsor, Judge Gordon, and Magistrate McMillan, who were the Police Commission in Windsor, asked to see me and discuss the situation there. The visit I discovered followed a statement made by the second Magistrate in Windsor, Magistrate Hanrahan, in which he made certain public statements on the Bench one day as to conditions as he thought they existed in Windsor, relative to bookmaking, bootlegging, and the general condition of laxity and vice.

The Police Commission seemed to be somewhat disturbed about this, because of the implications from some of the remarks by the Magistrate, involving the Police Force.

The result of that conversation was -- and I may say that under the Police Act, a local police force is managed and administered by a Commission consisting of the Mayor of the Municipality, ex officio, a County Court Judge appointed by the Lieutenant-Governor-in-Council, but the appointment is limited to a member of the County Bench, and a Magistrate, generally a local man, but there is no restriction under the Act -- or in the alternative, of a Crown Attorney. The purpose of that Act, as I understand it, is to prevent

the administration of Police forces in municipalities from coming directly under the jurisdiction of the Municipal Councils, where some political consideration may come into play in dealing with the administration of justice in a municipality. This Act was devised many years ago in order to provide the means of establishing Police Commissions which would be as impartial as possible, and remove the possibility of any political pressure in administering a police force, and at the same time retain on that Commission the Mayor for the time being of the Municipality, to represent the elected representatives of the people.

These gentlemen discussed this matter and of course, it was their responsibility, being the Police Commission, and as long as they were the Police Commission, to make all the necessary decisions with respect to the administration of the Police Force in Windsor.

So I suggested to them: "As long as you are the Police Commission you have full powers of investigation; you have full powers to look into any aspect of the enforcement of justice as far as the police are concerned in the city of Windsor, and there is no reason why you should not go ahead and make all the investigations you need. If, on the other hand, you have something to recommend to me or the government in the way of any assistance you might like to have from our Provincial Police, or from our Department, we are here to give the assistance, but as long as you are the Commission, it is up to you to see what is wrong, if there is anything wrong, and if you want any assistance from us to put it right, let us know."

Now, Mr. Chairman, the members of the Commission decided that was the proper line to take, that they should immediately enquire into the situation, and see what required to be done. They carried on an enquiry for some days in Windsor, for the purpose of getting to the bottom of what they thought were some of the weaknesses in the Police Force there.

As the result of the inquiry they carried on, and then asked me to send in one of the Provincial police, somebody appointed from our Provincial Police, to run the Police force in Windsor. In other words, they wanted the Provincial Police to take over.

I pointed out to them that either they were the Police Commission and would be responsible to run the Police force, or if they did not want to run the Police force, my duty was to appoint a new Police Commission. The result was that finally, at their request, I sent some of our top investigators from the Provincial police to make a thorough investigation into the weaknesses of the police force in Windsor, and they spent some weeks in Windsor, and examined all of the aspects of that organization, and submitted a report, which report has been released to the public many months ago.

The substance of that report was that there were certain weaknesses in the force, and that the situation in Windsor is somewhat different from what it is in many of the municipalities of this province, in, being close to the city of Detroit, there is the constant danger of the development of some of the gamblers' interests across the river, and there is always a danger in a border city of that kind of some development which might become serious, if it was not checked before it did. Then, there is always the suspicion in the minds of many sections of the public that the police force under these circumstances might be subjected to some undue pressure from various sources, and perhaps they are not prosecuting their duties as fully as they should.

The net result of that report was that there was a certain weakness in the police force, but it appeared the main weaknesses came from the top, that those responsible for the administration of the police force had not been using a sufficiently strong hand, and it became very clear that there was only one sensible and effective step that could be taken, and that was not to throw out a lot of men

at the bottom -- not to throw out the constables who were trying to do a good job as best they could -- but the weakness was in the general direction of the police force, and the people who were in command. That was the opinion I came to after reading the report and discussing it very thoroughly with our police officials who had visited Windsor, and spent this time there.

It was also suggested that some of the difficulties arose from the Crown Attorney's office, and the hon. member (Mr. Ellis) is quite right; every Crown Attorney in the province of Ontario is appointed by the Lieutenant-Governor-in-Council upon my recommendation, and I am responsible. If a Crown Attorney is not carrying out his duties according to the way I think he should; if his views as to the manner of prosecuting cases are not the same as my views, and I have lost the confidence in his direction of the prosecution of justice, wherever it may be, it is my duty to deal with that matter; it is my duty to find someone who will.

I may say this about the Crown Attorney for Windsor. It was decided as the result of the police report, and as the result of what I had heard of the Police Commission, that the only way to put this on an entirely fresh basis, and give a new impetus, or a new lease of life, and the sort of inspiration which was required for a very fine body of men, who constituted the police force in the city of Windsor, and in order to satisfy the public that this matter was being taken hold of fully and properly, and the first step necessary was to appoint a new police commission, and the second step was to appoint a new Crown Attorney. That is exactly what we did. With very great regret we accepted the resignation of His Honor Judge Gordon. I may say that Judge Gordon is very highly regarded by members of the judiciary, and the County Bench of Ontario, not only by the Legal profession, but by those people who have come before him. The same

may be said about the Magistrate. There may b e a difference of opinion about it, but he has carried his duties out conscientiously according to his views, in the city of Windsor.

But, as far as the police force was concerned, to take hold of the problems which were required to be solved in the police force,--

MR. JOLLIFFE: They were part-time.

MR. PORTER: The Police Commission was part-time. You are not suggesting they should be on full time?

MR. JOLLIFFE: No.

MR. PORTER: Then why bring that up?

MR. JOLLIFFE: In this case it made their work more difficult.

MR. PORTER: What is the suggestion?

MR. JOLLIFFE: If suggestion is too remote for the hon. Attorney General (Mr. Porter) to grasp it, I cannot help it.

MR. PORTER: If the hon. member (Mr. Jolliffe) would let me complete my statement, we would get along faster. I have no idea what his shaft is, but I am sure there is a barb in it. There is no pot of honey in it, or if there is, there is a sting to it.

MR. SALSBERG: Did you feel it?

MR. PORTER: That was the action decided upon, and that was the action I took, after due consideration, and after careful deliberations concerning the whole situation.

This was no hasty action; it was not a situation where hasty action would have been effective, or have done the job. This was a matter which required very careful investigation; it was a matter of great delicacy because it involved a local municipal police force, and all that implied, but, nevertheless, that is what we did. So instead of His Honor Judge Gordon, His Honor Judge Cochrane of Brampton, was appointed to the Police commission, Mr. "Roly" Harris, of Windsor, was appointed to the Police Commission, and made a Magistrate ad hoc, so he would be qualified.

They then carried on certain inquiries into the conditions of the police force so that they could make up their minds as to what steps should be taken, and as the result of these inquiries, they decided they would retire the chief of police, and the deputy chief, with certain other changes of organization they thought should be made, and the police force should be strengthened. They proceeded to do that.

In the meantime, they asked that they might appoint one of the provincial police as a temporary chief in Windsor, until a final appointment was made. That was done. We gave them all the assistance we could in clearing up that situation. It is perfectly true there has been a great deal of public interest in this situation. The weaknesses which existed, with all the information available, were not perhaps as grave and dangerous as might have been assumed by a great many people, and nevertheless, in a situation of that kind, there is the danger that it might slip into a position of almost a disaster if action were not taken, and as far as I am concerned, and as far as my colleagues were concerned, the action was taken, and it was decisive and effective action.

I think the hon. member for Essex North (Mr. Ellis) will agree, there has been great improvement in the police force there, as the result of the action which has been taken; they have regained their esprit de corps, and the administration of justice, as far as the police was concerned, has improved materially, and I think on the whole the people of Windsor feel the same way.

(TAKE "FF" FOLLOWS)

FF-1

Now, I might say this about the Crown Attorney, I have discussed the question of the Crown Attorney of Windsor who was dismissed. He was a man who was a very eminent counsel at the Bar before he became a Crown Attorney and a very capable, able counsel who devoted a great deal of his time to criminal work. He spent most of his practicing days or a great deal of it in defence work and I think perhaps he developed the viewpoint of defence counsel. I have discussed this with Judge Cochrane, I have discussed this with the Crown Attorney at Oshawa who was sent down to take over and who has been in that office now for several months and has been close to what has been going on there, and would be in a very good position to size up this sort of situation. B oth Judge Cochrane and Crown Attorney Hall are convinced that as far as Crown Attorney Awrey is concerned, his mistake was entirely a mistake of judgment rather than anything of an improper nature.

In cases of this kind, people are always ready to suspect, they are always ready for a witch hunt, they like to blame this man and that man, and the Crown Attorney is the obvious man to take hold of very often. We found in our department there were many cases, during the last few months when he was there, that were not being prosecuted with the vigour that we thought they warranted. I think that all hon. members of the House will agree with this, that the duty of a Crown Attorney is not to win at all costs, it is not the duty of a Crown Attorney to do that. It is his duty to do his best to put before the court all the evidence that has come to his attention and to examine all the witnesses as fairly and fully as possible to make out the

case for the Crown against a certain accused person. Very often the Crown Attorney in interviewing these witnesses and sizing up the case, thinks the case is pretty weak and it may not be proceeded with. In other words, he tells the people who laid the complaint they have no case at all, and, of course, under the Criminal Code the Crown Attorney has the responsibility for deciding these matters and some times they do not proceed with a case and sometimes they do But when it reaches a certain stage, if they feel it is not fair to the accused to press it to its final conclusion, they might then abandon it. There is provision for that in the Criminal Code. The Crown Attorney has a right, to nolle prosse, as they say in the Criminal Code, and the Crown Attorney has the same right as the Attorney General. It is an independent right on the part of the Crown Attorney. Nevertheless, there are cases where we thought there was a slackness in the prosecution and, of course, you never can tell what will be in that case or what may be at the bottom of it and I decided we should take no chances. I might say to this House that up to the present time I am convinced as are the people who know the Crown Attorney best in Windsor, the members of the Essex Bar Association, a group of very fine men of different viewpoints and all sorts of different political convictions, and who they know this man very well -- that he was not guilty of any impropriety and there has not been one tittle of evidence that he was. That is the opinion of Judge Cochrane, that is the opinion of Crown Attorney Hall and, I must confess, that is my opinion insofar as I can judge this situation from the representation

I have had made to me.

Unfortunately, the matter of prosecution of a number of cases was such that it did not agree with what we thought in the department of the Attorney General should have been the standard of prosecution. It is all very well to say that the accused must be given every possible chance. With that we agree, but I think it is our function to administer justice as fully as possible and if there is guilt and if there is crime, or if there is reasonable evidence of a crime or of guilt of any kind, then it is our duty to place that before the court as vigorously and as fully as can possibly be done, and it is then for the court and eventually for the jury, in many cases, to decide whether there is guilt and whether there has been a crime committed, and whether the accused is the person who is guilty and has committed that crime.

It was largely a matter of growing slackness which was apparently due, I think, -- and I really truthfully think this, -- this, apparently due to a mental attitude that is adopted very often by men who engage in criminal defence work for the better part of their lives as practicing barristers, that he was giving perhaps too great a "break," he was assuming too much in favour of the accused rather than letting the court take that responsibility, as should be done in the vast majority of cases, almost all the cases that come before a Court .

Now, Mr. Chairman, I have attempted to answer that part of the question of the hon. member (Mr. Ellis) as fully as I can. I might have become a little heated a little while ago but I hope all hon. members will forgive me for

that because this question of administration of justice is a very fundamental one in our whole way of living in this country, and we must be eternally vigilant to see it is carried on with vigour and with fairness and that is what we are attempting to do. I think what we have done in Windsor has brought about results of that kind and I think it has restored the position there which was beginning to deteriorate as I think I can describe it.

The hon. member for Essex North (Mr. Ellis) says the Windsor condition is perhaps no worse than perhaps anywhere else. I think probably he is right, I think the people in Windsor are just as much interested in enforcement of the law, they are just as much interested in the administration of justice as anyone else and they will back up any government or police commission or anybody who is responsible for it, and back them to the limit. Their problems may be a little more difficult there because of situations not under the control of the people of Windsor. It seems to me that the most we can do is give them the fullest backing possible and the greatest possible assistance to help them deal with the more difficult problems. I would say in considering the general situation in the province one must consider the different types, the different courts that we have in different parts of the provinces. In some cases there is a very, very slight volume of business, very few criminal cases at all, very few cases at all. In other cases they have a very huge volume of cases in the police courts and in the assizes so that conditions vary. You have different men appointed to administer justice. You have Magistrates appointed under the Criminal Code,

and , there is a possibility of great variation in the sort of sentences they might impose. If the Code provides for a two month sentence minimum and a six month sentence maximum or a two year sentence maximum, something of that kind, some Magistrates will give the two months and on a similar set of facts another Magistrate may give a year or a year and a half. That is the human factor that no rule book can possibly solve. In that way, we will always have the feeling of injustice on the part of some people when they have been dealt with differently by different men, but when you consider justice is being carried out by a great many men who have been trained in the law for that purpose, for the most part, and by a great many Crown Attorneys who have to use a great deal of independent discretion in their dealings, then I would say, that the general condition is perfectly sound. There are always a few cases that arise from time to time when somebody does something, or fails to do something, that on the face of it we might think he should or should not have done. As soon as we hear about these cases we lose no time in enquiring into them as fully as possible and deal with the situation, if it is to be dealt with. However, I would say that the people in this province respect the courts, they respect the law for the most part, and the machinery of justice runs with reasonable smoothness, taking all human factors into consideration, and with integrity and with dispatch.

SOME hon. MEMBERS: Hear, hear.

MR. ELLIS: Mr. Chairman, I think the statement just given by the hon. Attorney General (Mr. Porter) was a very fine effort and is certainly clearing the air in a lot of

respects. However, the question I asked before the hon. Attorney General (Mr. Porter) got a little bit hot under the collar was, what type of supervision does the hon. Attorney General (Mr. Porter) exercise over the administration of justice in the cities and towns? Now, may I ask this, and I think the hon. Attorney General (Mr. Porter) has answered it himself because if you read the report of Inspector Loughood in respect to the Windsor situation, and use that as an example, therein is contained a statement by and I will read it to you:

> "Actually it was found that there was a decided lack of competence in the existing law enforcement agencies in Windsor."

This was expressed regarding the Ontario Windsor Police, and the Crown Attorney's office, and, to a lesser degree, the courts. There is where the trouble lies, and you admitted that, you agreed with that and so did I. Where you have not got the competence in your administration of justice then you can expect just what went on in Windsor, a great deal of very ugly runours, a lot of people condemned unnecessarily and so on down the line, because there was a complete lack of competence in the administration.

I would like to spend a moment in respect of our set up of our local police commission. The hon. Attorney General (Mr. Porter) knows we have the Crown Attorney, they are picked by the Lieutenant-Governor-in-Council, in other words, the government, and besides that we have the Magistrates appointed by the government, and then you have your Mayor which, more or less, you can say is appointed by the people

of the city when he is elected, and when there is a situation such as that, a lack of confidence such as that, there is nothing the police department, no matter how efficient they are, can do. I would like to point this out to the hon. Attorney General (Mr. Porter) that down there, because we are so close to the American border, we often compare our administration of justice with that of the American system and as you know in the United States the Magistrates and Crown Attorneys are all elected, so the general argument down there is as to whether it is better to have them elected or appointed. I think the American system has some good points because over there those who aspire to the Bench must get elected but those over here who aspire to the Bench must be defeated.

SOME hon. MEMBERS: Oh, oh.

(TAKE "GG" FOLLOWS)

MR. ELLIS: What I wanted to get down to was the point that unless we have confidence in our administration of justice, and in order to have that confidence I maintain it is not enough for the Attorney General's Department to be responsible for the appointment of the Crown Attorney, the appointment of the Magistrates and so on down the line and let them run along of their free will, as they may. I think there should be a very large degree of supervision. After all with a bank employee or an accountant. If the bank is not satisfied with him, they have inspectors going around inspecting the books. I think that is the solution which will bring about a greater degree of confidence with respect to the administration of justice throughout the whole province. That is the question I ask. What degree of supervision does the hon. Attorney General (Mr. Porter) exercise over law administration in our cities, in our towns and so on?

MR. PORTER: Of course, all of that is under the Inspector of Legal Offices, a branch of the Department of the Attorney General. The Inspector of Legal Offices inspects the various offices, keeps in touch with the various offices and generally reports on anything he thinks appears to be not quite right or requires improvement. He is constantly travelling around the country on his inspections. He does the best he can in doing that. The man who holds that office is a very capable man, Mr. Donald. He is a very capable official, as I say, and is a most conscientious official. He brings to my attention any case which appears to require any adjustment or any dealing with at all. One thing we have not, is that any time the Crown Attorney decides not to press a case, of course, there is no report

of that. It may be we should insist on that but there is a tremendous volume of cases going through some of those courts. We get returns of cases which are disposed of. The offices are constantly subject to supervision and inspection. Different members of the Department visit them at different times. We keep as close a touch with them as we can.

MR. ELLIS: Has that inspector the right to look over the Crown Attorney's shoulder or the Magistrate's shoulder?

MR. PORTER: Yes. I may say, with respect to magistrates, it is true we appoint the magistrates, whereas the Federal government appoints the Judges. Under the Act applicable to Magistrates a Magistrate cannot be dismissed without a judicial inquiry; in other words an attempt has been made to put the Magistrate in just as secure a position as a Judge. A Judge is appointed for life. So is a Magistrate, or until he becomes entitled to superannuation, as the Act provides now. He retires at a certain age. A Magistrate is entitled to hold that position for the rest of his life until retirement, without being subject to dismissal, unless he does something which gives rise to a judicial enquiry before a Judge of the Supreme Court of Ontario, and not until that has been had, can the government dismiss him. That is the extent to which we have gone in this province to assure to the Magistrates' Bench independence, so that they will not be sitting under fear of dismissal because they might not be pleasing the government in power. This is one of the things they say about the Senate, that a candidate has to be defeated

before he can become a Senator. In some cases that has occurred. In most cases I would say that Magistrates appointed in the province of Ontario have never been on the political front at all. Some of them have been and some of them have not been. We have a great variety of Magistrates. I may say that in the County of York we have Magistrate Martin, who is an Indian, one of the original Indians of this country, who was appointed a few years ago, I am proud to say, by this government. He was appointed by my predecessor. He is a very fine Magistrate. I do not know any one of the Magistrates in Ontario to compare with this Magistrate in the county of York, who deals out common sense and justice which is more acceptable to the public. Magistrate Martin is one of our Indian population.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: We have a great variety of very fine men who are undertaking the very difficult task of Magisterial work. They are living in a state of political independence. They do not have to rely upon anybody for favours or anything else.

MR. ELLIS: You can change them any time you want to?

MR. PORTER: No. We cannot dismiss them. Once they are appointed we cannot dismiss them unless we hold a judicial enquiry.

MR. ELLIS: You can take a Magistrate out of Essex County ---

MR. PORTER: We can move a Magistrate. What are you suggesting?

MR. ELLIS: I am not suggesting anything.

MR. FROST: You are just asking.

MR. NIXON: Mr. Chairman, I was not just clear as to the reference the hon. Minister (Mr. Porter) made when he was reading the Press Report about the Sullivan case. I just wonder if that could not stand a little airing, too.

MR. PORTER: I would be glad to speak on it.

MR. NIXON: Who was responsible for ordering the dramatic and sensational arrest of Mrs. Sullivan, after she was given permission to leave Ottawa to come to Toronto and before an autopsy determined the actual cause of death of her husband?

MR. PORTER: I may say to the hon. member for Brant (Mr. Nixon) I can give him the fullest detail, if he wants it.

MR. NIXON: I do not know, as a matter of fact, that this is a matter which should be aired again, because after all, this poor widow certainly had her Gethsemane.

MR. PORTER: That is right. That is the only reason I would hesitate to outline all those details in this House, but if the hon. members think it should be done, of course, I think the hon. members are entitled to all the information I can give.

MR. NIXON: I will leave that to your judgment.

MR. PORTER: I think I would prefer not to do it unless the hon. members want it.

MR. FROST: The Court has found her not guilty.

MR. JOLLIFFE: After the hon. Minister (Mr. Porter) got down to business, he made, Mr. Chairman, what I thought was a very good statement about some aspects, at least, of the work of his Department. I was particularly pleased with

what the hon. Minister (Mr. Porter) had to say about the work of Crown Attorneys. I think that there has been some misunderstanding about their particular function. At times when great publicity is being given the administration of justice, the notion gets abroad that if a Crown Attorney ever suggests or accedes to or initiates the abandonment of a prosecution, there is something wrong; he must be a party to some improper arrangement. Of course, that is not and never has been so. There are a great many cases in which a Crown Attorney is only doing his duty to abandon the prosecution or to ask the leave of the Court that it be withdrawn. But, of course, the discretion, which is vested in a Crown Attorney, makes it very important that he should exercise his discretion and his judgment with care. Any laxity whatever, or any "slackness", which I think is the word the hon. Attorney General (Mr. Porter) used, can lead to very serious results.

One of the difficult aspects of dealing with the administration of justice at any time, either publicly or in the administration thereof, is that so many matters of that kind can be so easily misunderstood and so easily misrepresented. One of the reasons that matters of this kind should be considered in a cool way, if that is possible, is that the administration of justice demands the minimum of excitement and the maximum of calmness. I want to make it perfectly clear, and I think the hon. Attorney General (Mr. Porter) would probably agree with me, that the kind of procedure under which accused persons or suspected persons are charged, tried and convicted in the newspapers is a highly undesirable type of procedure

and one against which we have to be on our guard. There was some danger of that arising in the case of certain reports coming out of Windsor. That type of procedure is, after all, in principle, no better than lynch law, or the older forms of witchcraft. I think we have to be very careful about it. Secondly, if, as and when any evidence of slackness or wrongdoing comes to the attention of the Minister charged with the responsibility for the administration of justice and with law enforcement, I think it is fair to say that it is the duty of the hon. Minister (Mr. Porter) to investigate and to make the fullest enquiry as quickly as possible. I do not think the hon. Attorney General (Mr. Porter) should wait for a request from a local municipality if any evidence reaches him indicating that there is a need for investigation. So far as the case at Windsor is concerned, I have had in mind not only the fact that we must not permit ourselves to become unduly excited by journalistic triumphs or anything of that sort. I have also had in mind the fact that it is quite improper and quite misleading to point the finger at Windsor as though Windsor were in some way unique, as though this place which happened to enjoy the spotlight at some particular moment was really any different in kind from other places in the province. In a statement -- I do not know whether it was the same statement the hon. Attorney General (Mr. Porter) quoted, but it was certainly made about the same time -- which I made, I gave warning against Windsor being singled out in some way as being unique.

MR. PORTER: I suppose that was the part of the statement which was not published.

MR. JOLLIFFE: I do not know. Whether it was part

of the statement which the hon. Attorney General (Mr. Porter) read, I do not know.

MR. PORTER: That is just the trouble with some of these statements; some of them do not get into the newspapers.

MR. JOLLIFFE: The fact of the matter is that what disturbed a great many people was that for some time there were unsubstantiated references, about laxity or wrongdoing in the administration of justice at Windsor. None of us saw any great activity on the part of the hon. Attorney General (Mr. Porter). I am bound to say that, according to the information which reached me during the weeks preceding the session, the hon. Attorney General (Mr. Porter) did exert himself, and it was in that period, as I recall it, that the Cochrane Commission's report, as I were two features of the Cochrane Commission report, as I understand it, which were important. One was that the Commission seemed to conclude that it could go no further with its enquiry, that is, it had gone as far as it could usefully go. That did not satisfy me any too well, because, like other people, I felt that there must be some more information about what had happened in Windsor which would be worth getting. On the other hand, the Cochrane Commission did clarify some points. There has been a reorganization of the police commission there, and of the administration of the police force which, according to my information, has led to considerable improvement. The hon. Attorney General (Mr. Porter) chose to make a great point of the fact that he was challenged on the 12th day of September to get busy about this, and he was warned that it would become a major issue at this session if something was not done. My

information is that the hon. Attorney General (Mr. Porter) did exert himself a great deal more after December 1st, than he had before.

MR. PORTER: I may say, that anything which was done had not the slightest connection with this report. We knew what we were prepared to do and we did it.

MR. JOLLIFFE: In that event I suppose we can give the credit to the Globe and Mail.

MR. FROST: No; to the hon. Attorney General (Mr. Porter), of course.

MR. JOLLIFFE:

The hon. Attorney General (Mr. Porter) had been the Attorney General for quite some time.

MR. FROST: I would point out to the hon. Leader of the Opposition (Mr. Jolliffe) that the hon. Attorney General (Mr. Porter) became Attorney General in May of 1949. This matter came up within a year of his taking office. He appointed able investigators to make a thorough investigation and as soon as the report was out, he cleaned up the situation to the satisfaction of everybody, insofar as I know.

MR. JOLLIFFE: Not within a year of taking office.

MR. PORTER: Everything we did was long before your statement.

MR. JOLLIFFE: What I want to take the hon. Attorney General (Mr. Porter) to task for at the moment is that he realizes, as well as the rest of us, that this is an important matter; he also knows that I invited him at the outset of the session to make a statement about it.

MR. PORTER: I do not think it was much of an invitation. It was a most back-handed, vague invitation.

You did not want me to say anything.

MR. JOLLIFFE: Was it? I will repeat it for the edification of the hon. Attorney General (Mr. Porter). We will see just how accurate the hon. Attorney General (Mr. Porter) has been in his statements tonight. I will repeat it. The hon. Attorney General (Mr. Porter) has said it was "vague".

MR. PORTER: That is right.

MR. JOLLIFFE: That it was nebulous, "back-handed" and so on. I will repeat it to him. In the meantime, because some weeks had gone by and the hon. Attorney General (Mr. Porter) had taken some steps, of which I may say I approved ---

MR. FROST: Are you going to demand a Select Committee?

MR. JOLLIFFE: I would suggest that the hon. Prime Minister (Mr. Frost) just hold his peace. Since he mentioned the matter of a Select Committee, I will tell the hon. Prime Minister (Mr. Frost) why we did not demand a Select Committee.

MR. FROST: You changed your mind.

MR. JOLLIFFE: We have demended Select Committees for some time. We asked for a Select Committee on Election Law. I would suggest the hon. Prime Minister (Mr. Frost) listen to this and then look at his own records. Two years ago we asked for a Select Committee on Hydro. The hon. Prime Minister (Mr. Frost) stalled that off for two years. Two years ago we asked for a Select Committee on Election Law.

MR. FROST: That is working right now.

MR. JOLLIFFE: That was stalled off for one year. It was appointed. It did not meet. It was appointed again

for another year and did not meet until last week, after having been appointed over a year ago. We asked for a Select Committee to deal with the question of indemnities. How often that Select Committee has met no one knows, and when it will report I have yet to find out, although it was appointed a year ago.

We asked at the outset of this Session for Committees which we thought were of constructive importance. We were much interested in doing a constructive job in an atmosphere of cooperation rather than an atmosphere of debate. Two Committees have been appointed -- one on Government Commissions, one on Lands and Forests, in response to a suggestion which I made at the very beginning of the Session many weeks ago. For one reason and another, neither of those committees have as yet met.

MR. FROST: They are both meeting next week.

MR. JOLLIFFE: They are meeting next week, is my information. The batting average of these Select Committees is very low.

MR. FROST: Is that why you toned down?

MR. JOLLIFFE: The hon. Prime Minister (Mr. Frost) has a record for successful delay and evasion.

MR. FROST: I ask whether your colleague, the hon. member for Essex North (Mr. Ellis) would like to have a Select Committee to sit and deal with this whole problem or whether he would prefer to leave it alone.

MR. JOLLIFFE: The hon. Prime Minister (Mr. Frost) was out of the House when the hon. member for Essex North (Mr. Ellis) ---

MR. FROST: I heard every word he said.

MR. JOLLIFFE: I would say the hon. Prime Minister (Mr. Frost) and his colleagues have all they can handle in the matter of Select Committees at this Session.

MR. FROST: So, you are going to relieve us of this Committee?

MR. JOLLIFFE: We might as well. If the suggestion were acceded to the Committee would probably go until 1955.

MR. PORTER: It might have been all over with by now.

MR. JOLLIFFE: The hon. Attorney General (Mr. Porter) is so anxious to escape the little matter of what he was asked to do at the beginning of the Session,it is necessary for me to tell him.

MR. PORTER: I do not have to do everything I am asked to do.

MR. JOLLIFFE: No, but I do say that when an Attorney General is charged with the administration of justice he should not allow nearly two months to go by without saying a word about it. I said, on February 7, the following with reference to the Department of the Attorney General. Incidentally, I had discussed a good many other departments and I had more to discuss.

> "Without taking up too much time on this subject, may I say if there is one other Department in the government that deserves the full-time attention of an able Minister, it is the Department of the Attorney General. And without going into details, Mr. Speaker, I would remind the government that the conduct of our Crown Attorneys, indeed, the work of police commissions as well as the work of the provincial police and many other agencies

connected with the administration of justice are the responsibility of the hon. Attorney General (Mr. Porter)."

MR. PORTER: We all agree with that.

MR. JOLLIFFE: I continue:

"If there has been a lack of capacity or a lack of zeal on the part of any of these servants of justice, then the hon. Attorney General (Mr. Porter) must accept the responsibility."

MR. PORTER: That is a hypothetical statement.

MR. JOLLIFFE: I know the hon. Attorney General (Mr. Porter) is getting nervous because he knows what is coming.

"It is not enough to tell us, as we may be told, that he had no knowledge of what happened in a given instance. We have not yet abandoned the principle of ministerial responsibility in this province, although the Department of the Attorney General in times gone by has attempted it, but the principle of ministerial responsibility still holds, Mr. Speaker, and I think we are entitled to hear from the hon. Attorney General (Mr. Porter) -- not the hon. Minister of Education (Mr. Porter) should make ---"

at that point the Attorney General, getting nervous, again interrupted me.

MR. PORTER: I was more sensitive.

MR. JOLLIFFE: I continue:

" A very clear statement of his policy, and,

above all, the clearest possible statement of the steps he has taken, or the steps he proposes to take, to reinforce and strengthen the administration of justice in all the municipalities in this province.

I think the hon. Attorney General (Mr. Porter) realizes that some explanation is due to the public, that no matter how much difficulty a Commission like the Cochrane Commission may have encountered in getting the facts, we are entitled to know from the hon. Attorney General (Mr. Porter) what he is doing to assure that at all future times the facts will be readily available and that if any wrong has been done, the wrong-doer will be brought to justice. But of that we shall, no doubt, hear more in this Session."

I expected that in his contribution to the Throne Speech Debate the hon. Attorney General (Mr. Porter) would take me up on that and would give a clear statement about one of the most important departments of the government. The hon. Attorney General (Mr. Porter) had his say in the Throne Speech Debate; indeed, he concluded the Debate for the government.

(TAKE "HH" FOLLOWS)

He spoke for a little time about expenditures on our roads and highways, he then proceeded to read from a long statement about his better half, the Department of Education, and he then concluded his speech. From the day that I invited the hon. Attorney-General (Mr. Porter) to report to the House on the administration of his Department until tonight, we have not heard a word from him about the administration of his Department.

MR. FROST: Well, none of your people have ever asked him anything about it--except for your mild little statemont, nobody said a word.

MR. JOLLIFFE: Well, I am sorry the hon. Prime Minister (Mr. Frost) is disappointed it was not offensive.

SOME hon. MEMBERS: Oh, oh.

MR. FROST: All I ask my good friend (Mr. Jolliffe) is this: What caused him to tone down between the--

MR. JOLLIFFE: Now, we have heard that--

MR. FROST: --the 12th of December and the date that he made that statement, from this rambunctious statement he made in the paper about demanding an enquiry.

MR. JOLLIFFE: Well, sit down and I will tell you.

MR. FROST: What caused you to change your tune?

MR. JOLLIFFE: We have had some experience--

MR. FROST: You must have.

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: In the first place we have had some experience getting Select Committees appointed by this government, which is quite a trick, and getting them to meet is even more difficult.

MR. PORTER: Well, you had that experience before you made the statement.

MR. JOLLIFFE: And in the second place, we have had

experience with the hon. Attorney-General (Mr. Porter) himself. We had a little enquiry into his election two years ago.

MR. PORTER: Well now, the hon. member (Mr. Jolliffe) sat on that Committee.

MR.JOLLIFFE: I did indeed.

MR. PORTER: And he made a sport of it.

MR. FROST: It was unanimous, too.

MR. PORTER: And there was not the slightest suggestion I had anything to do with the--

MR. JOLLIFFE: There was a minority report.

MR. PORTER: It had nothing to do with my position in the matter. If the hon. member (Mr. Jolliffe) suggests I had something to do with that, the time for him to have said so was when the Committee was sitting.

MR. JOLLIFFE: I do not know why the hon. Prime Minister (Mr. Frost) and the hon. Attorney-General (Mr. Porter) are so anxious I should not speak about this.

MR. PORTER: I do not care what you said on it, you can bring up all the roasted chestnuts you want. If you have not anything new to talk about, you can bring up all the old chestnuts you want.

THE CHAIRMAN: Order.

Hon. G. H. DUNBAR (Minister of Municipal Affairs): Go back to the Gestapo.

MR. CHAIRMAN: Order.

MR. JOLLIFFE: It is unfortunate we should be so badly misunderstood by the hon. Prime Minister (Mr. Frost) and his distinguished colleague (Mr. Porter).

MR. PORTER: I thought the promise you made was very definite. But you did not carry it out.

MR. JOLLIFFE: Oh, definite, yes.

MR. PORTER: You promise one thing and do something else.

MR. JOLLIFFE: That is right, we did something else. And may I say why?

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: You didn't do very much.

MR. JOLLIFFE: Mr. Chairman, after the developments which occurred in January and December, it occurred to me that if I invited the hon. Attorney-General (Mr. Porter) to state his case in regard to this matter---now, Mr. Chairman, I think the hon. Prime Minister (Mr. Frost) is both unwise and discourteous to ask the questions and then refuse to listen to the answers.

MR. FROST: I am listening to my hon. friend (Mr. Jolliffe). I am listening.

MR. JOLLIFFE: I want to give him an answer. It occurred to me we might get a clearer and better statement from the Attorney-General (Mr. Porter) if I invited him in a courteous and not in an offensive way, to makeit, and I have read exactly what I said. But instead of getting a statement to which the House was entitled and to which I think the province was entitled, all we get are cheap quips and reproaches from the hon. Prime Minister (Mr. Frost) and the hon. Attorney-General (Mr. Porter)--

SOME hon. MEMBERS: Hear, hear.

MR. FROST: Oh, no.

MR. JOLLIFFE: --to the effect we had not launched a full scale attack on the hon. Attorney-General (Mr. Porter).

MR. PORTER: You just did not do what you promised, that is all.

MR. JOLLIFFE: Why should we launch a full scale attack on the hon. Attorney-General (Mr. Porter)?

MR. PORTER: I do not know why you promised it. I do not understand it. I thought it was the silliest thing when I read

it, but I thought you were going to do it.

MR. JOLLIFFE: Our experience with the Attorney-General (Mr. Porter)--

MR. PORTER: But you didn't. It didn't worry me.

THE CHAIRMAN: Order.

MR. JOLLIFFE: Our experiences with the hon. Attorney-General (Mr. Porter) are that if we make a full-scale attack on him, he gets vary garrulous and very sensitive. On the other hand, at this Session in particular the hon. Attorney-General (Mr. Porter) has made an effort on occasion to deal seriously, either in one capacity or the other, with certain questions, and I may say when he has made that attempt, he has done rather well.

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: We have been rather pleased with some of the statements--

MR. PORTER: I am glad to hear that, but if the hon. member (Mr. Jolliffe) would not make these rather fatuous statements outside this House and then soften down when he enters the House---I do not mind, but I am just curious to know why.

MR. JOLLIFFE: Oh, I am not softening down.

THE CHAIRMAN: Order.

MR. JOLLIFFE: May I say to the hon. Attorney- General (Mr. Porter), since he insists on having it between the ribs, that I asked him on February 7th to state to this House what steps he has taken and proposes to take to make the administration of justice--

MR. PORTER: Oh, I said--

MR. JOLLIFFE: Sit down, you have asked for it and you are going to get it. I gave that invitation on the 7th day of February--

MR. PORTER: There was nothing wrong with--

MR. JOLLIFFE: And from that day to this, Mr. Chairman, the hon. Attorney-General (Mr. Porter) has been too cowardly to make any statement on the subject.

SOME hon. MEMBERS: Hear, hear.

SOME hon. MEMBERS: Oh, oh.

MR. JOLLIFFE: We have not heard a word.

MR. PORTER: I want the hon. member (Mr. Jolliffe) to withdraw that statement at once.

MR. C. H. MILLARD (York West): He does not have to.

MR. JOLLIFFE: Not parliamentary?

Hon. G. H. DUNBAR (Minister of Municipal Affairs): Any person is a coward who would make that statement in the House.

MR. PORTER.: That statement, Mr. Chairman, must be withdrawn.

MR. JOLLIFFE: That statement was made on February 7th;

SOME hon. MEMBERS: Withdraw, withdraw.

MR. JOLLIFFE: No, I do not think there is any reason why I should withdraw it.

SOME hon. MEMBERS: No.

MR. JOLLIFFE: Well, since the hon. Attorney-General (Mr. Porter) has become so sensitive--

MR. PORTER: If the hon. member (Mr. Jolliffe) will not withdraw the statement and the hon. member (Mr. Jolliffe) is not ordered to leave the House, I will leave the House myself.

SOME hon. MEMBERS: Hear, hear.

SOME hon. MEMBERS: Then go.

MR. JOLLIFFE: Mr. Chairman, with regard to--

MR. DUNBAR: Some person touched the button, and they

are not behind you in that second row.

SOME hon. MEMBERS: Oh, oh.

MR. JOLLIFFE: I do not want to hurt the hon. Attorney-General's (Mr. Porter) feelings, but he insisted on it. He insisted and I have put it in the only language he understands.

MR. PORTER: I asked the hon. member (Mr. Jolliffe) to withdraw the statement. I am not afraid of the hon. member (Mr. Jolliffe) or any of his supporters. I never have been. The hon. member's (Mr. Jolliffe) statement is unparliamentary, it is unbefitting the hon. Leader of the Opposition or any hon. member of the House.

MR. JOLLIFFE: You insisted on it.

SOME hon. MEMBERS: Oh, no.

MR. PORTER: And if the hon. member (Mr. Jolliffe) will not withdraw the statement, I am going to ask that the hon. member (Mr. Jolliffe) be removed from the House, and if he is not removed, I will leave the House.

MR. JOLLIFFE: I have not been asked by anyone to withdraw, except the hon. Attorney-General (Mr. Porter), and if he prefers it, I would much prefer to put it in my way, I would much prefer to say that from February 7th down to tonight, he has not had the courage to tell us what the policy is.

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: That is the way I prefer to put it;

MR. PORTER: Are you withdrawing the statement?

MR. DUNBAR: Some person touched the button behind you then.

MR. FROST: I think my hon. friend (Mr. Jolliffe) should withdraw that statement. It was very unparliamentary and I think perhaps my hon. friend (Mr. Jolliffe) made it in a moment of heat. But he should withdraw the statement.

MR. JOLLIFFE: Well, Mr. Chairman, may I say that the hon. Prime Minister (Mr. Frost) and the hon. Attorney-General (Mr. Porter) are presuming a great deal, when for at least ten minutes they insisted that I should say what I have just said. That is, in effect, what they did. Everything I said on February 7th was parliamentary, everything I said on that occasion was as courteous as could be, and the only thanks I get for it is a statement of the hon. Attorney-General (Mr. Porter) and the hon. Prime Minister (Mr. Frost) that it was too mild--that it was too mild.

MR. PORTER: That was not it at all.

MR. JOLLIFFE: If they do not understand that language, I will have to use the only language they do understand.

MR. PORTER: I want you to withdraw that statement. Are you going to do it or not?

MR. JOLLIFFE: I am not paying any attention to the hon. Attorney-General (Mr. Porter).

MR. PORTER: That is quite obvious.

MR. JOLLIFFE: I would rather have the Chairman's ruling.

MR. FROST: What is your ruling?

MR. CHAIRMAN: I ask the hon. Leader of the Opposition (Mr. Jolliffe) to withdraw that.

MR. JOLLIFFE: On what grounds, Mr. Chairman?

MR. CHAIRMAN: It is unparliamentary.

MR. JOLLIFFE: By virtue of what rule am I to withdraw?

SOME hon. MEMBERS: Let's have a ruling.

MR. CHAIRMAN: On the ground it is unparliamentary. You must not impute motives.

MR. JOLLIFFE: Oh, I would not impute motives to the hon. Attorney-General (Mr. Porter). I did not impute any,

and I have no desire to do so. All I stated was what had happened between February 7th when I made that speech and tonight and from that date to this we have not had from the hon. Attorney-General (Mr. Porter) a statement about what steps his Department is taking or proposes to take to improve the administration of justice in Ontario. That is the point.

MR. FROST: Well, Mr. Chairman--

MR. CHAIRMAN: Order, order.

MR. FROST: All right.

SOME hon. MEMBERS: Oh, oh.

MR. CHAIRMAN: Do you withdraw the word "cowardly"?

MR. JOLLIFFE: On what basis, Mr. Chairman, are you requesting I should withdraw?

MR. CHAIRMAN: Yes, I think it is quite unparliamentary language.

MR. JOLLIFFE: Well, is that a ruling or merely a suggestion?

MR. CHAIRMAN: It is any way you wish. I think you should.

MR. JOLLIFFE: Well, Mr. Chairman, I would suggest that you allow me to take legal advice, and since the hon. Attorney-General (Mr. Porter) does not sit on my side, I will consult the hon. member for Cochrane South (Mr. Grummett).

SOME hon. MEMBERS: Hear, hear.

SOME hon. MEMBERS: Oh, oh.

MR. H. C. NIXON (Brant): May I suggest to the hon. Prime Minister (Mr. Frost) that the chairman of the Committee should hardly be put in that position. Probably Mr. Speaker should be called back to deal with it.

MR. PORTER: Well, of course, I do not want to be the subject of some trivial situation. I thought the expression was unparliamentary, but the hon. Leader of the Oppostion (Mr.

Jolliffe)---

MR. FROST: So it is.

MR. PORTER: But I am not going to hold up the affairs of this House for some little matter of that kind. It really does not disturb me, because I do not take it too seriously.

MR. MILLARD: I thought you were going to leave the House.

MR. PORTER: I do not think the hon. member (Mr. Jolliffe) was thinking of what he was saying. I would have thought he would apoligize, but he decided not to.

MR. JOLLIFFE: Mr. Chairman, may I say my conscience is clear. I told the hon. Attorney-General (Mr. Porter) in all sincerity I was imputing no motives to him, none whatever. I simply described, in my own way, it was not my language, but the hon. Attorney-General (Mr. Porter) pleaded with me to do it, so I did it.

SOME hon. MEMBERS: Hear, hear.

MR. FROST: Now, that is not really a very good explnation. I do not think that the hon. Leader of the Opposition (Mr. Jolliffe) made any marks by that statement or the position that he took. He should have withdrawn it, but if does not, leave it that way.

MR. MILLARD: You made some remarks the other night.

MR. FROST: I do not think the hon. Leader of the Opposition (Mr. Jolliffe) made any marks. Mr. Chairman, I want to say--to get back to this report -- about this Select Committee; we were quite prepared to grant a Select Committee right off the bat, and we will do it now. If my hon. friend the member for North Essex (Mr. Ellis) and the hon. Leader of the Opposition (Mr. Jolliffe) would like a Select Committee to inquire into the Windsor situation, and

they persist in saying that this is a shocking situation and a disgraceful situation, we will accede to the appointment of a Select Committee right now. Now, that is not cowardly. We are quite anxious to meet this affair right on the line--anybody, any place and any time. That is the situation.

MR. JOLLIFFE: Then why did not the hon. Attorney-General (Mr. Porter) speak about it?

MR. FROST: Well, all right, what do you want? You said all these things; that you wanted a Select Committee and that you wanted to inquire into the administration of justice, and that you wanted to inquire into the Windsor situation. We are here to say: "If you want it, we will do it, and we will start the inquiry right away."

SOME hon.MEMBERS: Hear, hear.

MR. JOLLIFFE: Why did not the hon.Attorney-General (Mr. Porter) say so?

MR PORTER: The hon. Premier (Mr. Frost) has offered it. I have nothing to say.

MR. JOLLIFFE: The hon. Premier (Mr. Frost) has offered it seven after weeks after the Session opened.

MR. FROST: Well, do you want it or don't you?

MR. PORTER: Do youwant it or not?

AN hon. MEMBER: We will conduct it ourselves when we get over there.

MR. JOLLIFFE: We will consult on the matter.

MR. ELLIS: I do not think I have to consult on the matter at all. Insofar as asking for a Select Committee to study the problems of Windsor, I say it is absolutely not necessary.

SOME hon. MEMBERS: Hear, hear.

MR. ELLIS: As for asking for a Select Committee to study the matter of administration of justice in the Province of

Ontario, I am inclined to think that probably the idea might be a good one.

SOME hon. MEMBERS: Hear, hear.

(Take II follows)

MR. ELLIS: I have here a statement issued by the ex-sheriff of Essex County --

MR. PORTER: That has nothing to do with it.

MR. FROST: We should clean up one thing at a time.

MR. ELLIS: This deals with the administration of justice. That is what you were saying.

MR. PORTER: Do you want the truth about this situation? I will tell you the whole story, if you want it.

MR. ELLIS: You can tell me afterwards.

MR. PORTER: No, I will tell you in this House.

MR. ELLIS: I wnat to quote from the statement of the ex-sheriff. I will make allowance for all personal feelings, and I understand he was dismissed by the hon. Attorney General (Mr. Porter) from his office, but I am not concerned about that; I am concerned about the statement he made about the conduct of his office.

The statement is as follows:

> "The sheriff's office comes under the supervision of two Ontario departments, Mr. Marentette, said. The Ontario Department of Reform Institutions has carried out constant inspections of the county jail, and helped develop its administration with guidance.
>
> ... The attorney-general's department has jurisdiction over the legal part of the sheriff's work, but an inspector has visited Windsor only once in 15 years,

for a fleeting moment, Mr. Marentette said."

MR. PORTER: If you want the facts, I will give them to you. When the inspectors visited Windsor to find the sheriff, he was never in. He never saw him.

MR. JOLLIFFE: Where was the sheriff?

MR. PORTER: When this came to my attention, I fired the sheriff because he was incompetent.

MR. ELLIS: I am not worrying about why you fired him. I am pointing out that he had given a statement that no supervisor or inspector from the office of the Attorney-General had been there for fifteen years.

MR. PORTER: He was not there. He was never there. They saw him more often than that. It is just what the man said. On many occasions he was not there, when they were there.

Vote 30 agreed to.

MR. SALSBERG: Mr. Chairman, are we through with that?

SOME hon. MEMBERS: Oh, oh.

MR. McEWING (Wellington North): Is it not true?

MR. SALSBERG: I would like to say a few words on the item under discussion, if I may.

Mr. Chairman, I can say very truthfully that this small group has no reason to either press or resent the appointment of any Committee, Standing or Sitting, to investigate this situation. I do want to say a few words, though, without any axe to grind, to point out that the entire experience in and around the Windsor situation did not leave a very good taste in

the mouths of most people of this province. I do not care whether the official Opposition promised to demand an immediate investigation, that was going to this question or not. I speak as one member of this House who feels -- as I am sure a lot of people feel outside of this House in the province -- that the government should have utilized the first opportunity it had when the House assembled to explain the situation, and to satisfy the people in the province who feel that many answers were not given. I have no inside information, and I never sought any.

MR. FROST: The hon. member for St. Andrew (Mr. Salsberg) is getting into very deep water on that one.

MR. SALSBERG: I am not in deep water at all. I am in no water. I am standing here in the second row of this House, a long way from water. It is the hon. Premier (Mr. Frost) who is away down there, and I plead with him to understand me, when I say that I am not in water. I do not want him to get in, nor anybody else, and he will agree with what I say, if he takes my words as they are meant to be understood, that he and the hon. Attorney-General (Mr. Porter) in a way owed an explanation, if they wanted to clear the air.

MR. PORTER: You will get it now.

MR. SALSBERG: All right. Just a minute. There was a lot of infantile actions going on. "Ask me, and I will tell you; do not ask me; come on, and ask me" and all that sort of thing. I as one member want to say that it adds no prestige to anybody to

exchange such things.

No one can say that we interjected anything into this situation, or made any political capital out of it. We did not. But I want to remind the hon. Attorney-General (Mr. Porter) that last April he declared that he is not responsible for the enforcement of law in Windsor. That is what he said. Now, tonight the hon. Attorney General (Mr. Porter) says he is responsible. In April he stated, according to a report in the Globe & Mail of May 12th, 1950, under the by-line of Ken McTaggart, the following;

> "One week ago the Windsor police Commission in a report which followed an investigation into the charges of laxity in law enforcement, requested Ontario to assign an officer to supervise its police force, and to recommend that any necessary changes be made."
>
> " Yesterday, Mr. Porter stated that Ontario would not assume supervision of the Windsor police. Recommendations made by Inspector Lougheed and Inspector Kelly were submitted to the province. There is no reason why the province should assume responsibility for law enforcement in Windsor; it is the duty of that municipality",

says Mr. Frost. And he continues:

> " We are interested in seeing that the law enforcement is carried out by

those on whom that responsibility rests."

That was not coming to grips with a matter which at that time was front page news, and was stirring up the people.

A week or so later, the hon. Premier (Mr. Frost) reversed himself, as did the hon. Attorney-General (Mr. Porter), and headlines appeared in large type "Crack down on Vice in Windsor, Frost orders police". That was the reversal. First the statement they would not interfere, and then telling the police to "crack down". I do not know what it was from the Department of the hon. Attorney-General (Mr. Porter). It was most astounding, and as a member of this House I have been called up by hundreds of people, and have been spoken to on the street in regard to this, and asked what I thought about it, and I told them that I knew no more than the average person on the street, who reads the newspapers. I do not think it is improper for the House to expect enlightenment from the government --

MR. FROST: I have listened to these vaporings from the other side for some time. I want to remind the hon. member (Mr. Salsberg) there was never any change in our position on this side. We took a strong stand from the outset on this whole problem, in our dealings with Ottawa, and with the Kefauver Commission, in regard to the handling of the Windsor situation.

My friend (Mr. Salsberg) does not need to skirt around this. What happened was this; the Police Commission asked us for an investigation on the Report of the Provincial Police Force, and that was done.

That is when we entered into the Windsor situation, and it was at the request of the city of Windsor. We entered in the situation, and made an investigation, and when the Report was made, we immediately acted upon it. I think, Mr. Chairman, the hon. member for St. Andrew (Mr. Salsberg) might be fair enough to recognize that fact, and stop trying to raise clouds of dust, and to impute motives to us, which we have not had. Actually speaking we took a strong stand, and one which has been approved Pretty well by the people of Windsor, the Windsor Daily Star, and the press down there.

That is the situation, and I think we have heard enough of this nonsense.

MR. SALSBERG: I resent the hon. Premier (Mr. Frost) --

MR. FROST: I do not care whether you resent it or not.

MR. SALSBERG: That I am trying to raise dust --

MR. FROST: That is what you are doing.

MR. SALSBERG: I was speaking as a member of this House. I ask the hon. Prime Minister (Mr. Frost) to withdraw that statement.

MR. FROST: I will not withdraw anything.

MR. SALSBERG: I am the most impartial member who has spoken on this proposal tonight. I have no interest in the matter, nor do I represent anybody in connection with it. You know that is true. I am not trying to kick up any dust, but I do say, as a member of this House, that an explanation should have been given to the House before.

MR. FROST: I want to say again that we have offered to have a Select Committee of this House investigate this matter. We are prepared to do that. The fact is I am prepared to move myself that a Select Committee be set up. I cannot do that at the moment, I know, as we are in Committee, but if the hon. members opposite want that, we will give it to them, right "off the bat".

MR. JOLLIFFE: If the hon. Prime Minister (Mr. Frost) is not too warm --

MR. SALSBERG: I was on the floor.

MR. JOLLIFFE: Pardon me for a moment, please. If the hon. Prime Minister (Mr. Frost) is serious about that, I want to say seriously that I think that it is a good idea, and we will be happy to co-operate, on this basis, we do not want to see a Select Committee set up to go after Windsor --

MR. FROST: Now you are beginning to crawl.

MR. JOLLIFFE: I am not beginning to crawl at all. I will make it perfectly plain. I asked for an investigation into the administration of justice.

MR. FROST: I will go this fa r. We are perfectly prepared to do that, and we will move it ourselves, and we will bring in a motion Tuesday to set up a Committee, and we will have a Select Committee as soon as the House reconvenes. I will tell the hon. Leader of the Opposition (Mr. Jolliffe) that we are going to call his bluff, and we are going to enquire into the administration of justice, and we are going into the Windsor situation from top to bottom. You have asked for it, and you are going to get it. I hope my hon. friend, the hon. member for Essex North (Mr. Ellis) is well satisfied with the result of this evening's fun, because a thorough investigation is what you are going to get. There will be a thorough investigation made.

MR. JOLLIFFE: Does the hon. Prime Minister (Mr. Frost) mean the investigation will confine itself to Windsor?

MR. FROST: No, certainly not, but Windsor will be in it as well.

MR. JOLLIFFE: I hope the hon. Prime Minister (Mr. Frost) is serious about this.

MR. FROST: I am serious in everything I say. We were ready to do it, but the hon. members opposite split hairs about it, and vacillated so much, that now we will give you more than you asked for, and you will get it.

SOME hon. MEMBERS: Hear, hear.

(TAKE JJ FOLLOWS)

MR. JOLLIFFE: You are giving me exactly what I have been asking for? oh no, that is not it at all.

SOME hon. MEMBERS: Hear, hear,

MR. JOLLIFFE: Mr. Chairman, the hon. Prime Minister (Mr. Frost) need not become heated about this.

MR. FROST: Why not?

MR. JOLLIFFE: I will tell you why. There are a number of Committees we could have pressed for at the beginning of the Session, we pressed for those we thought most important, we did not think it practicable to press for the whole lot and if the hon. Prime Minister (Mr. Frost) now offers to bring in a resolution appointing such a Committee, I am very happy to hear it and I am glad to accept it in all seriousness and to assist in carrying on the work of the Committee.

MR. PORTER: Of course, the hon. Leader of the Opposition (Mr. Jolliffe) said it did not matter.

MR. MacLEOD: Mr. Chairman, on a point of order --

MR. JOLLIFFE: I did not say it did not matter, the hon. Attorney General (Mr. Porter) has no right ---

MR. PORTER: When the legislation gathered we moved for an appointment of a Select Committee of ---

MR. MacLEOD: Mr. Chairman, on a point of order.

MR. FROST: Now, the hon. Leader of the Opposition (Mr. Jolliffe) having deviated and not done that, we are going to do it.

MR. MacLEOD: Mr. Chairman, my point of order is this.

MR. JOLLIFFE: The deviating was done by the hon. Attorney General (Mr. Porter).

MR. MacLEOD: Mr. Chairman, I think there is a complete breakdown of law and order in the Chamber.

MR. DALEY: We are going to investigate it.

MR. MacLEOD: After all, the hon. member for St. Andrew (Mr. Salsberg) had the floor and the hon. Prime Minister (Mr. Frost) took it away from him, then the hon. member for Essex North (Mr. Ellis) took it away from him, then the hon. Attorney General (Mr. Porter) took it away from him, then the hon. Leader of the Opposition (Mr. Jolliffe), now I want to give it back.

SOME hon. MEMBERS: Oh, oh.

MR. MacLEOD: I think the hon. member for St. Andrew (Mr. Salsberg) in view of what has been said ---

MR. PORTER: I would think he could look after himself.

MR. SALSBERG: I will.

MR. MacLEOD: Would like the opportunity of saying that he is prepared, in view of what the hon. Prime Minister (Mr. Frost) has said, to reserve what he was going to say for another occasion.

MR. DALEY: What occasion?

MR. MacLEOD: If you will give him an opportunity.

MR. FROST: Now that we have arrived at this point, perhaps we can get on with the Estimates.

MR. SALSBERG: Mr. Chairman ---

MR. DALEY: Oh, no.

SOME hon. MEMBERS: No, no.

MR. SALSBERG: If any hon. member wants me to continue, they do not have to beg for it, just ask and I will.

Mr. Chairman, this is what happens when a very impartial and innocent person speaks very objectively about a subject that everybody is hot and bothered about. I was the only one who was not. I was going to say that the statements that came out earlier in the evening should have been offered without pressing. They should have been given to the House and the air cleared in view of the heat that it generated and the new atmosphere that it created, I think there will be occasions for me and other hon. members to say what we have to say elsewhere and I will, therefore, not continue at this time in view of the statement of the hon. Prime Minister (Mr. Frost) and other hon. members of this House. What I said, of course, was the most sober of the remarks made this evening on this question and the record will show that when you read it quietly and cooly.

Votes 30 to 33 inclusive agreed to.

MR. C.C. CALDER (London): Mr. Chairman, you went very quickly over a domestic item.

SOME hon. MEMBERS: Oh, oh.

MR. CALDER: May we go back to Vote 31, it is a new item, the second part on the Matrimonial Causes Act. I think the hon. Attorney General (Mr. Porter) now can do justice to himself if he would be good enough to explain to the House the working of this section in the past year.

MR. PORTER: This item refers to a work that is being done under a recent amendment to The Matrimonial Act. As the hon. members know, in divorce cases where the custody of children is involved, the official guardian is charged with the responsibility of making a special investigation as to which the conditions under which the children are living and

to make sure any order of the Court will fully provide for them in accordance with the interest of the children.

MR. CALDER: How is it working?

MR. PORTER: My information is, it is working very well. Of course, a considerable number of divorce cases involve children and the official guardian is represented in each one and my information is from all social organizations that are interested in this work, that this has been of great assistance and the children are very much better provided for as a result of that.

MR. CALDER: What do the Judges think of it?

MR. PORTER: Well, I have had no report from the Judges with respect to it. I did have an informal conversation with Chief Justice McRuer about this not very long ago and he was very favourably impressed by the way it was working out. That was some months ago and I have not had any official report. Of course, I would not expect an official report from the Bench, but the representations I have from the officials are that is working out very favourably.

Vote No. 34 agreed to.

On Vote 35.

MR. W.J. GRUMMETT (Cochrane South): Mr. Chairman, I just wanted to ask a question under Vote 35, Service Badge Allowance, what does that cover?

MR. PORTER: Vote 35?

MR. GRUMMETT: Vote 35, item 1, Service Badge Allowance, $35,000. I was wondering what that takes care of?

MR. PORTER: The service badge allowance is by agreement with the Public Service Superannuation Board and is being authorized as part of the officers' salaries.

It is now included in the amount on which superannuation will be based, the provision is also made for an increase in the strength of 50 additional officers in the force. I will get the information about that, I am not entirely clear on it.

MR. GRUMMETT: There is another matter, I might just as well bring up now. Under the same vote, Mr. Chairman, that is a matter of the provincial police. In part of Ontario, at least, we regard these men with a great deal of respect and we are proud of our provincial police in northern Ontario and we would like to see them remain on the force. We have had a large number of young officers leave the force within the last three or four years and I think that is not to the benefit of the police force. If there salaries could be raised or some provision made whereby they would become, would know they would have a future in the police force, it would improve the force. These men are keen, industrious young chaps and it is a pity to see so many of them leave the force as we have seen in the past year or two. I was wondering if the hon. Attorney General (Mr. Porter) had considered raising the rates of pay of the officers of the Ontario Provincial Police?

MR. PORTER: I am very pleased the hon. member (Mr. Grummett) has raised that point. I must say that I am quite conscious of the difficulties that have been encountered by a number of resignations, and an increasing number of resignations of the younger men in the force. When they can get work at higher wages can you blame the men for leaving the force? Most of them expressed the wish that they could have stayed on the force, they enjoyed the work and so on, but I am very pleased to be able to say there has been an increase

authorized in the wages of the police force all the way across the B oard which will be in effect on April 1st. The increase is about $200. a year for constables of the first groups and it goes up a certain amount in the higher brackets.

MR. L.F.K. FELL (Parkdale): Mr. Chairman, on that same Vote, I do not want to belabour the subject because the previous hon. member (Mr. Grummett) has covered pretty much of what I wanted to say. It is encouraging to hear the hon. Attorney General (Mr. Porter) say thatprovincial police, particularly constables, are going to get wage increases because their wages have been pitifully low. I found this out in discussion with constables. In and around the province a large number of them have resigned, not because they were not satisfied nor happy in the provincial police service, as the hon. Attorney General (Mr. Porter) points out, but merely just because they could not under the circumstances manage to keep themselves, and more particularly for the married men, their families, in the service. I am, perhaps, not too happy about the amount, something like $200. increase, because I note in looking at the Public Accounts for the fiscal year ending March 31, 1950, that the salaries shown for constables indicates that probably the highest salary for a constable was $2,340. An increase of $200. will give that constable something like $2500. a year. Now, I say that is approximately the highest wage and the hon. Attorney General (Mr. Porter) probably has the figures.

MR. PORTER: I can give the hon. member (Mr. Fell) full particulars if he is interested in this.

MR. FELL: I will listen, I might have something

to say about it,

MR. PORTER: I do not want to interrupt.

MR. FELL: I would like to hear your figures because it may influence what I have to say, if you do not mind.

MR. PORTER: Well, at the present time the constable, group No. 1, the salary range is from $2,040. to $2,240., that will be increased to $2,240. to $2.440., that is, of course, without considering the cost of living bonus of $240. on top of that.

MR. MILLARD: It is on retirement allowance, too?

MR. PORTER: Oh yes, they are on superannuation.

MR. MILLARD: It is paid in addition to that, though?

MR. PORTER: Yes.

MR. GRUMMETT: And they get their uniforms free, do they not?

MR. PORTER: Oh yes, and, of course, I recognize, after all, the duty of a policeman makes great demands on a man, he is not, a military man in the army sense, it is not his duty to demolish the enemy at all costs, he has to work with the civilian population and he has to obtain their respect and maintain it and has to be civil and diplomatic and gain their respect in all aspects of his work.

(TAKE "KK" FOLLOWS)

In addition to that when he runs up against some emergency, or some tough problem, he has to act quickly, use his wits and certainly he is thrown into a situation where all his physical capacities and his mental capacity are certainly brought into play.

I must say that I think here I should pay a tribute to the fine calibre of men we have, in spite of salaries which, in itself, might not attract that type of man. They join the force because in the first place they can foresee the possibility of promotion if they have the capacity and if they stick to it. It is work that a certain type of men have a leaning towards and talent for. There are over a thousand of them throughout the province and I think they do, on the whole, a very fine job. I am very glad to hear the hon. member for Cochrane South (Mr. Grummett) say that he found that in his association with the force in the north country . In the constable group they will start with $2,540. and go up to $2,740. With the cost of living bonus that will reach almost $3,000. The sergeant group will be $3,150. to $3,450.; so that, they have a prospect in due time of promotion and of working their way up. I think these increases will make a considerable difference in holding some of the men who are now leaving the force. At any rate, we will see how it works out.

MR. L.K. FELL (Parkdale): As a matter of fact, I think the hon. Attorney General (Mr. Porter) has expressed a very good point of view. It certainly indicates the Department is aware of some of the inadequacies of the provision who, to the best of my knowledge, are an excellent type of people. I have had some experience with them, not

always on the same side of the fence. I have found in the main they are very splendid boys. I think they deserve a great deal of credit. It is an indication on the part of the hon. Attorney General (Mr. Porter) that one question is being considered and something is being done. I am not too sure yet that something like $2,400. a year, might be sufficient for some of these people, particulatly if they have families. In any event, it is a step forward.

Probably the second most common complaint which comes before the Attorney General as the senior officer of Law Enforcement in the province of Ontario is the question of promotion. I think probably in the law enforcement agencies the question of promotion from ordinary constables, to the various degrees of office which may be held in that Department, is just as important to the beginner -- and important particularly, probably, to the type of man who has been on the force for some time -- than even the question of wages, because there is involved the question of future and advancement on the force with most of them. There does seem to be some complaint on the part of most that the promotional system does not seem to be very satisfactory. The hon. Attorney General (Mr. Porter) is probably well aware of complaints,more so than I am in that regard. I am wondering if there is any indication to be made that the system of promotion,as well as the wage question,is under review and that perhaps there obtains some intention of improving them.

MR. PORTER: I do not know that the system of promotion is faulty at all. I think, on the contrary, it is all right. If there is anyone who thinks he should be promoted and who is not promoted, naturally it is human

nature to be dissatisfied. Not everyone can expect to be promoted, and be promoted at the same time. That lies in the hands of the senior officers.

MR. MILLARD: Mr. Chairman, may I ask the hon. Attorney General (Mr. Porter) in that connection, if the man is dissatisfied, feels he has a grievance, what appeal does he have; what source can he go to in order to appeal against the decision of the senior officer?

MR. PORTER: The Provincial Police Force has a set of regulations which provide for procedure of that kind. If a man, for instance, is discharged for some offence against the disciplinary code -- it might even be of a minor nature or sometimes of a more serious nature, something which involves the possibility of dismissal -- there is a regular progedure for appeal to one of the senior officers. One of the senior officers hears the case. They take the evidence, they are entitled to have all the witnesses there who might throw any light on the case. The proceedings are taken down in shorthand, the officer can hear that evidence, then make a report to the Commissioner. The Commissioner reviews the whole matter and that report comes to me. I then review the whole matter. If a man is dismissed, it has to be done under order in council. That is the system in the provincial police force. There is a great deal of screening. All of that evidence comes right up to my office. I review it. In the case where there is some real question about it, I review it and I have my Deputy review it and we discuss these matters where there appears to be any doubt at all. That is the general situation.

MR. MILLARD: I think the hon. Attorney General (Mr. Porter) must have misunderstood my question. My question was in connection with promotion, not dismissal, to which the hon. Attorney General (Mr. Porter) referred. What I want to know is, is there adequate machinery under which the officer can proceed to appeal any decision made in regard to promotion, that is, without any fear of discrimination as a result of such appeal? Is there machinery to protect that officer in his right of appeal against some decision made by a senior officer?

MR. PORTER: I am not aware of any machinery to cover that particular situation. However, I will check that. I have not come into contact with that. I do not think there is. Whether there should be, is a different matter. I will concede that.

MR. MILLARD: I asked the general question to bring out the fact that it may account for some of the men who feel that the lines of promotion have been unnecessarily obstructed, for some of these people leaving the force and seeking their destiny some place else.

MR. PORTER: That might be possible in some cases. That is something that is well worth investigating. I would be very glad to look into that. As I say, it is well worth investigating.

MR. CALDER: Last year the hon. member for York West (Mr. Millard) brought up that point about the old custom of having the local member give a reference for each applicant to the Provincial Police Force. I understood we agreed all through the House that that was useless, might become dangerous and should be abandoned.

MR. PORTER: Yes. We have appointed quite a large number who did not have recommendation from the local member.

MR. CALDER: Would you be good enough to send instructions to the London detachment, because they are still under the impression that that is the law. They will not take my word for it.

MR. MILLARD: I would like to back up the hon. member for London (Mr. Calder) to say that it was still a matter of practice at least six months ago. I was given to understand by the hon. Attorney General (Mr. Porter) and the hon. Prime Minister (Mr. Frost) that that practice would be discontinued.

MR. PORTER: All these appointments have to go through my office. I have to look at them. I have to sign them. I have seen a substantial number which have had no member's recommendation. There were others with recommendations. It does not have to be a recommendation of a member. In other words, it is not a political appointment.

MR. CALDER: To clear the air perhaps the hon. Attorney General (Mr. Porter) would be good enough to ask the Commissioner to instruct the detachment to that effect.

MR. PORTER: I will ask that that be done. I do not know that I have ever seen your name on an application as yet.

MR. CALDER: I would not be surprised by that.

I have two other points to which I would like to address myself: first of all, on behalf of my colleague, the hon. member for Waterloo North (Mr. Brown), may I ask has there been any progress in the thinking of the hon. Attorney General (Mr. Porter) on the question he raised about putting the provincial police under an independent commission; secondly, before we leave these Estimates, I fully share the

views of the hon. member for Cochrane South (Mr. Grummett) that where you get excellent service, then an acknowledgement should be made of it. I think every hon. member of this House would wish to acknowledge the services given not only by Mr. McTavish but by Mr. Threadgold, and by the other members of the staff of the hon. Attorney General (Mr. Porter). I would ask that the hon. Attorney General (Mr. Porter) pass that information to his assistants.

MR. PORTER: I shall be very glad to. As to the Police Commissions, the commissions do come under the Department of the Attorney General. All commissions of the government have to be assigned to some Department of the government. How could we have any Police Commission so removed from the government that we could not deal with it if we felt that it had to be dealt with, I really do not know. After all, somebody has to take some final responsibility in these things. I do find that a Police Commission runs itself under the Commissioner, that it carries on as an independent organization. It is true that dismissals and appointments, and every time that some charge is laid against someone for a disciplinary offence, have to come to my desk before action is taken. That is protection to the men, to the government and to the Commission. It is not something that goes on without our being able to keep our fingers on it, and to know what is going on and how it is being administered from time to time. If we once segregate it entirely from the government and let it carry on without any control, or being involved in the decisions which have to be made, suppose it deteriorated and suppose things were bad in a certain section of the country, we would be powerless to deal with it. The

administration of justice is the responsibility of government and we have to administer it through the Police commissions, just as we do in the courts. We leave to the Police Commissioners the fullest possible discretion. They are very able men. In all my contacts with them I gain more and more favourable impressions. I think they are respected by the men and the officers under them throughout. I have found that works out very satisfactorily, that they and their staffs run the police forces. It is only matters of policy, or, very often when we have complaints which come in from somebody or other which have to be ironed out, that those matters come to my attention and we have discussions about them. That is the practical way it works out.

MR. GRUMMETT: Some little time ago I asked a question about Vote 35, item 1, with respect to service badge allowance. The hon. Attorney General (Mr. Porter) was getting the information. I believe he has it now.

MR. PORTER: Yes. It is $2.00 a month for each year of service after five years. It is a small premium, just cigarette money, I suppose.

MR. TEMPLE: I want to make a suggestion, Mr. Chairman, to the hon. Attorney General (Mr. Porter) in connection with law enforcement. I want to see him do a good job in his department.

MR. PORTER: I am drinking water.

MR. TEMPLE: I would like to assist the hon. Attorney General (Mr. Porter) to the utmost of my ability. Every Christmas in the city of Toronto and every New Years, the public is inundated with pious appeals from the Mayor

of the city, the Chief of Police of the city and from the provincial police force with regard to office parties. They are urged that if they drink they should not drive. "If you drink do not drive" I think is the substance of their appeal to the public. I have been getting kind of sick of these appeals. I am going to suggest to the hon. Attorney General (Mr. Porter) that at the Christmas and the New Years season instead of issuing these appeals over the radio and in the newspapers, he should turn a few of his huskiest police officers loose and let them go into the downtown offices of Toronto and just arrest some of the managers of the offices for serving liquor in an illegal manner, for illegal possession of liquor at office parties. That should be done at those times of the year. I think he would save the lives of some Toronto citizens who get killed every year on our streets by drunken automobile drivers. I think he will deserve more respect and will gain more respect for the administration of his department if he does something to stop it instead of just merely making pious appeals over the radio.

MR. PORTER: I will take that into serious consideration.

MR. TEMPLE: I would be very glad to hear of it.

(TAKE "LL" FOLLOWS)

MR. C. H. MILLARD (York West): I would just like to ask the hon. Attorney General (Mr. Porter) one question, and if he would rather answer it at another time, or privately, it will be satisfactory to me. I cannot find the answer in the Estimates of the hon. the Attorney-General (Mr. Porter) nor those of the hon. Provincial Secretary, (Mr. Welsh), or anywhere else, and I would like to gind out what happens in the case of a County Court Judge, who is acting as a Judge and presumably being paid as a Judge, when he serves as the Chairman or a member of a Commission, or a Board, either part-time or full time? Are their salaries as judges augmented? What happens in a case such as the Liquor Authority Commission?

MR. PORTER: He is a paid a salary, which appears in the Estimates of the hon. Provincial Secretary (Mr. Welsh)

MR. MILLARD: I cannot find it.

MR. PORTER: It is under the Liauor Control Bpard.

MR. JOLLIFFE: They have no estimates. That is the trouble.

MR. PORTER: It is under the Liquor Control Board. They pay him. Occasionally, judges are appointed to sit on some special Commission, such as the Commission recently headed by Mr. Justice Roach.

MR. MILLARD: And that headed by Mr. Justice Hope?

MR. PORTER: That is not in the department of the Attorney-General.

SOME hon. MEMBERS: Oh, oh.

MR. MILLARD: It was in the Department of Education.

MR. PORTER: I thought the hon. member (Mr. Millard) was thoroughly acquainted with what we paid him. I did not think I would have to go into this. I thought I would never hear of that again.

SOME hon. MEMBERS: Oh, oh.

MR. PORTER: But there is an item, Sundry Investigations, 22.

MR. MILLARD: Mr. Chairman, I am not anxious to pursue or delay the passing of these Estimates. If the hon. Attorney General (Mr. Porter) could tell me exactly what Judge Robb gets from the province, and also what he gets as a County Judge. It his pay as a County Judge supplemented.

MR. FROST: Oh, yes.

MR. MILLARD: I would like to know what is his income.

MR. PORTER: Well, that is not in my department. I do not know what he gets.

MR. MILLARD: Well, does it interfere with his work as a County Judge or what?

MR. FROST: No, Judge Robb is paid additionally by us for the work that he does. He receives his salary as a County Judge and we pay him for the work that he does in connection with the Commission. I have not got the Judge's salary, but I would be glad to get it for the hon. member (Mr. Millard) and give it to him.

Judge Robb is paid by the Federal Government for his work as a Judge. That is not a salary paid by ourselves, but we pay the Judge for the work which he does for the Liquor Licence Board. At this time, Mr. Chairman I would like to pay a tribute to Judge Robb for the work that he does. I mentioned that before in this House, and I think

the Judge commands the respect, really, of all parties. I was quite interested in reading -- as I try to read everything -- I read the Temperance Advocate which used to be the Pioneer when I was young.

MR. W.H. TEMPLE (High Park):What did you think of it?

MR. FROST: I was quite interested in an editorial the other day praising the Judge, commending him for his work. It is difficult to get someone who will undertake that difficult type of work. The Judge's Judgments and his points of view, after all he is a human being, -- are not all correct, but the Judge is doing a fine job for this province and I want to pay a tribute here to him o

Actually that has nothing to do with the Attorney General's Estimates, the Judge's salary is paid through the Liquor Licence Board, which was part of the Estimates which were passed here in the Department of the hon. Provincial Secretary (Mr. Welsh); but seeing that my hon. friend (Mr. Millard) has asked the question --

MR. JOLLIFFE: Oh, I do not think it is in the hon. Provincial Secretary's (Mr. Welsh) department at all. It is not in the Estimates. I think the hon. Prime Minister (Mr. Frost) is mistaken.

MR. FROST: It is under the Liquor Control Board.

MR. JOLLIFFE: That is one of the difficulties, for which I know the hon. Prime Minister (Mr. Frost) is not responsible, but it is one of the things that bothers us.

It is quite all right, you can ask that. There is a Committee on Commissions meeting, you can ask them.

MR. W. DENNISON (St. David): On No. 35, I wonder

if the hon. Attorney General (Mr. Porter) has this information now. Last year there was a question on the Order Paper asking the number of highway accodents investigated by the provincial police, and the number was given; then the question was: "In how many cases was liquor involved?" and the answer was given: "We have no information".

MR. FROST: Well, it is very difficult.

MR. DENNISON: I think it is the duty of a provincial police officer investigating any highway accident to note if liquor was involved.

MR. FROST: Well, they do.

MR. DENNISON: I wonder if that is being done now.

MR. PORTER: No, there is no information on that. After all, all the police officer can do is size up the situation and if he decides the man is under the influence of liquor, from smelling his breath or in some way or another, he reports that to the Crown Attorney, and they lay a charge involving liquor. But I do not know how the police can take note of every case where some policeman may think the man is under the influence of liquor. Thatis for the Courts to decide. How could a policeman decide.

MR. DENNISON: But you get these reports in your Department regarding each accident.

MR. PORTER: Oh, yes, the reports are all --

MR. DENNISON: Well then, you must --

MR. PORTER: Well, we have no intention of going over every report and every time a policeman said that he smelled somebodys breath and thought there was liquor on it The matter is decided by the Courts and we are not

going into that. That is just nonsense.

MR. DENNISON: No, this is not nonsense. This is very, very important I think. You do have a form the policeman fills in when he makes his report of the accident.

MR. PORTER: That is right.

MR. DENNISON: And that form has one question he fills in as to whether he thinks there was liquor involved.

MR. PORTER: There is no question on every one, but if he thinks a man has been drinking, he makes a note of it.

MR. DENNISON: He does?

MR. PORTER: If he thinks it is of some importance in the case, he does.

MR. DENNISON: Then the information is available.

MR. PORTER: Yes, but we are not going to collect and file all that.

MR. DENNISON: You do not want the information.

MR. FROST: Let me tell my hon. friend (Mr. Dennison) ---

MR. DENNISON: No, no. We were told last year, Mr. Premier (Mr. Frost) that the information was not available. Now that is not true.

MR. FROST: May I point out to my hon. friend (Mr. Dennison), a police officer may, in his report, give it as his opinion that liquor has some bearing on the case; the matter comes up in Court and the Court may decide on the evidence that such is not the case. Now, after all, the report of a police officer is only worth what it is worth, but it is the Court that evaluates it in the end.

MR. DENNISON: Well, you have those records too.

MR. FROST: And the Court may decide liquor has nothing whatever to do with it. Conversely, a police officer may make a report and not mention liquor, but the Court upon hearing evidence may decide liquor had a bearing and perhaps render its judgment on that basis.

MR. DENNISON: But, Mr. Premier (Mr. Frost), you will agree that in any serious law enforcement survey in this province, if you wanted to have a yardstick to judge the affectiveness of your law enforcement and whether or not liquor was less of a factor year by year, or more of a factor, you would naturally keep some record, perhaps both the policeman's record and the Court record in such cases, and I think if those records are available -- and they must be available --

MR. PORTER: Well, the only records of interest to us are the convictions after a man has had a fair trial. A record that some policeman fills out and which might have been proved wrong at the trial is not the sort of information we want, what we want is good sound information beforetrial, not after trial.

MR. DENNISON: You have those records, then, have you, in the Department?

MR. PORTER: Yes.

MR. DENNISON: Then those records would be available?

MR. PORTER: Oh, we have given that information dozens of times. You never asked for it -- never thought of it.

MR. DENNISON: Well, you seem to be pretty reticent about it. Do you mind?

MR. FROST: No.

MR. PORTER: No, you never asked.

MR. DENNISON: Pretty reticent last year.

MR. FROST: No, everything is an open book.

SOME hon. MEMBERS: Oh, oh.

MR. MILLARD: Mr. Chairman, I do not know why if the hon. Minister of Reform Institutions (Mr. Foote) could tell us they were carrying on research, it seems to me this is an important factor, and if that information is available, certainly it is a matter for research to find out whether there is an increase in highway traffic accidents as a result of liquor. How do you get it if not from the police reports?

MR. PORTER: How can you tell whether an accident is a result of liquor unless there is a trial and the evidence is heard and some impartial, judicial person, a Judge or a Magistrate, decides that? Surely - digging out of thousands and thousands of police reports all over this province, and keeping that in printed form every year, is just the greatest waste of money I can possibly conceive of. Just because a policeman says that he thinks there might have been liquor in a certain case, and when it comes to trial the thing may be entirely thrown out, because there is no evidence of it -- that is just a waste of the taxpayers' money.

MR. DENNISON: Oh, go on. You spend hundreds of dollars, Mr. Attorney General (Mr. Porter) drawing up figures and tabulations, and the hon. Minister of Municipal Affairs (Mr. Dunbar) comes each year to pick out the expenditures of each municipality on every item in the municipality. That takes time. I do not know whether that is any more important than this is. I think this is very important, to have a picture ---

MR. PORTER: I think to have the information the hon. member (Mr. Dennison) wants would be misleading, wrong and entirely useless; that is why it is not given, not because it is difficult, laborious or expensive, it is because it would be wrong, useless, hopeless and of no good to anybody.

MR. R.A. McEWING (Wellington North): Any further words?

AN hon. MEMBER: That makes it fairly conclusive.

MR. JOLLIFFE: You have not much faith in the policemen.

MR. L.E. WISMER (Riverdale): Mr. Chairman, I think you should call the item before you pass it.

MR. CHAIRMAN: I have only called 36 twice.

MR. WISMER: Well, we were debating 35 up until the last second. Now, with reference to the Ontario Securities Commission, Mr. Chairman, there are some questions I would like to ask. The hon. Attorney General (Mr. Porter) may be aware that in recent weeks a major U.S. oil company which has a regular newscast in the United States has been giving the State of New York Security Commissioner five minutes three evenings a week to discuss the difficulties which U.S. investors are in as a result of promotions from this city. Is the hon. Minister (Mr. Porter) aware of that?

MR. PORTER: Well, I am listening. I do not know -- are you asking a question?

MR. WISMER: This is a question. I have only questions to ask.

MR. PORTER: I do not know anything about any American Oil Company's broadcast. That is a new one to me.

LL-9

MR. WISMER: This has not been drawn to your attention? Perhaps I should draw it to your attention.

MR. PORTER: I thought that was what you were doing.

MR. WISMER: No, I wanted to know if you knew about it. The Sunoco Oil Company has a newscast ---

MR. PORTER: What Oil Company is that?

(TAKE "MM" FOLLOWS)

MM-1

MR. WISMER: The Sunoco Oil Company has a broadcast over WBEN-

MR. PORTER: Where do you hear that?

MR. WISMER: WBEN, Buffalo.

MR. PORTER: Can you hear them here?

MR. WISMER: I am sure if you tune it in, you would hear it.

MR. PORTER: I want to get some information. I will go home and listen to it. What time does it come on?

MR. WISMER: You have missed it for tonight.

MR. PORTER: Thank heavens for that.

MR. WISMER: I am serious about this. The Sunoco Oil Company has a broadcast over WBEN, Buffalo, between 7 and 8 o'clock, and recently on that broadcast, they have been giving the New York Securities' Commissioner five minutes' time in which to warn the people of the State, in fact, of the United States, against the fraudulent deals which are being offered in mining stock from this city, and other stock promotions.

MR. PORTER: Who said that?

MR. WISMER: I said it.

MR. PORTER: I must say I am still in the fog. You said what? Something about the Sunoco Oil?

MR. WISMER: Mr. Chairman, it is five minutes after eleven and I am sure when we finish Vote 36 of the hon. Attorney General (Mr. Porter) -

MR. FROST: I was going to say --

MR. WISMER: You just sit down, Mr. Premier (Mr. Frost).

MR. FROST: I was going to make a suggestion, which

may let the heat out of this debate, If we can finish the estimates of the Department of the Attorney General (Mr. Porter) and the Insurance Department, I would like to adjourn the House. I think the hon. members have had a long day, and tempers are becoming somewhat frayed. Next week we must go ahead with some important legislation --

MR. WISMER: If anybody's nerves are frayed, they are not mine, I am quite happy.

MR. PORTER: I want to know what the question is.

MR. WISMER: I asked a question of the hon. Attorney General (Mr. Porter) and he said he had no knowledge. I think that is rather strange, and I am trying to give him the information., if he wishes. If he wants to get the information, all he has to do is tune in to WBEN, at 7 o'clock at night and hear the Securities Commissioner of New York State speak about these things.

MR. PORTER: What do you want me to tell you?

MR. WISMER: Has it ever been brought to your attention that the Securities Commissioner of the State of Missouri has been on the air about these things?

MR. PORTER: No, I did not know they had a Commissioner. I am not from Missouri.

MR. WISMER: Are you aware that tens of thousands of circulars go out of this city to the United States, about these stocks.

MR. FROST: I do not think that is so.

MR. WISMER: Oh, that is not important?

MR. PORTER: Then clamp down on the mails. We have no control over the mails.

MR. WISMER: Did the Ontario Securities Commission do anything about it?

MR. PORTER: Yes.

MR. WISMER: What did they do?

MR. PORTER: Apparently there are not many going across the border now. To tell you the truth, I would have to find out with reference to some particular case, I do not know what the hon. member (Mr. Wismer) is talking about. He is talking about a lot of things going across the border in the mail. What is going in the mail?

MR. WISMER: When you are through with your ad-libing, I will go ahead with what I have to say.

MR. PORTER: Go ahead. We will be glad to hear it.

MR. WISMER: I do not think you will. Is it true that the Securities Commission knows the Attorneys-General of the United States are objecting to the flood of information fraudalently offering stock for sale?

MR. PORTER: I know none of these Attorneys-General. They have never written me a letter, spoken to me or advised me and complained to me since I have been in office.

MR. WISMER: Has there every been any complaint to the head of the Securities Commission?

MR. PORTER:, I don't know. I would have to ask somebody.

MR. WISMER: Could you get me that now?

MR. PORTER: Yes.

MR. WISMER: Would you?

MR. PORTER: Yes.

MR. WISMER: Are you concious, Mr. Attorney General, --

SOME hon. MEMBERS: Oh, oh.

SOME hon. MEMBERS: Hear, hear.

MR. PORTER: No, I am just in a fog --

MR. SALSBERG: I was wondering about that too.

SOME hon. MEMBERS: Oh, oh.

MR. WISMER: -- of the traffic in securities offered from this city to the United States in connection with stock deals of this sort.

MR. PORTER: What sort?

MR. WISMER: Fraudulent.

MR. PORTER: Fraudulent in what way?

MR. WISMER: In the way of offering things they cannot back up and taking the public's money.

MR. PORTER: I would have to know about some particular case.

MR. WISMER: Neither you nor the Securities Commission are aware of any specific case?

MR. PORTER: I don't know, you are asking me.

MR. WSIMER: You are the Minister in charge.

MR. FROST: Perhpas I can tell the hon. member (Mr. Wismer) something about this.

MR. WISMER: I wish you would.

MR. FROST: At one time I had quite a good deal to do with the security matters of this province - when I was the Minister of Mines. This is a difficult matter, as you will understand.

Our main industries in this province from the early days -- going back to the days of the Cobalt strike, some forty years ago -- have been built up on what we might term "risk capital" in a big wqy. There is no doubt about that. That was the feature which was connected with our mining industry, and, in fact, with any industry. The hon. member for Cochrane South (Mr. Grummett) knows that a great deal of work was done up there "on a shoe-string". The fact is the history of our mining industry --

MR. GRUMMETT: A very big risk.

MR. FROST: The hon. member (Mr.Grummett) knows that for one developed mine, there were hundreds where they lost everything. The country up there is dotted with locations where people went in and ventured and lost, and so did the shareholders. Most people have plenty of share certificates, for which there is no value.

Some six or seven years ago, there was formed a Mines' Ministers' Conference in Canada, the first of its kind which was ever assembled in this country, and part of their work involved the cleaning up of the securities situation. The Department of the hon.Attorney General (Mr. Porter) has charge of the enforcement of the law and I can say to the hon. member for Riverdale (Mr.Wismer)

In the other provinces there were, heretofor, some objections to the methods of quotations of stocks and issues in the province of Ontario. I got that particularly from some of the provinces such as British Columbia. I know the people of British Columbia took strong objection to some of the methods followed here.

Some years ago -- I imagine back about 1944 or 1945 -- a new securities Act was passed in this province. That was the time when Mr. McTague became the Commissioner, and he was followed, upon his retirement, by Mr. Lennox, who was the Master of the Supreme Court.

I think it is fair to say, from investigating the whole matter, that our people did not want to go as far as the Securities Exchange Commission in the United States.

The hon. member opposite know there are a great many complaints in the States about the fact that the rules and other requirements of the Securities Exchange Commission are so tight and so stringent that it is practically impossible to provide for the development of that type of risk capital. I am not criticizing what other countries do, but I simply mention the fact that the regulations of the Securities Exchange Commission are very stringent. I may have occasion to discuss that with the House later on in connection with another matter. On the other hand, it was felt that our laws in this province were probably too loose, and, therefore, we tried to strike a middle course, which would remedy some of the objections of other provinces and of some states

of the Union, and I think we were quite successful in doing that.

That brings me to the situation about which the hon. member (Mr. Wismer) complains. There were undoubtedly some people in this province who were using the mails to defraud, not within the province, but outside the province, but that is something which is outside the provincial jurisdiction. It is something like the use of the wires in connection with the gambling business.

MR. WISMER: They were mailed right here.

MR. FROST: But the use of the mails is a Federal matter. The Federal government stepped in and took certain steps to prevent the use of the mails to defraud. There was some objection to it, as being "high-handed" on the part of the Federal government. We, as a government, said nothing about it. We recognized there was a problem to be met there and we felt that while the use of that method might be questioned, nevertheless there was a considerable problem to be met there. That is the situation.

The matter of the Securities Commission presented many difficulties. The hon. members can well realize that the promotion of many of the mining ventures of this country are hazardous affairs, and you cannot make this thing as safe as the Bank of England. You have to let people realize there is a chance of losing their money. I think if the hon.member (Mr. Wismer) would take a copy of the Security Act, and have a chat with Mr. Lennox, who is a very approachable gentleman, he would learn in detail the difficulty, and the matter would be cleared up, in his

own mind.

I think we are right in following the middle-of-the road-policy, where we retain the element of chance but at the same time give the public the fullest possible information. I think our prospectus system, and so on, really provides that.

On the other hand, I realize there may be people in this province who use the mails for things which are quite illegal in this province, but the Federal government has cracked down on them and I think the situation is much better than it was. So I suggest to the hon. member (Mr. Wismer) that he have a talk with Mr. Lennox, the Commissioner, who would I know be glad to give him the most full information on the problem, and would take from my hon. friend any advice he considered reasonable, but it is difficult to do those things because we have a lot of bright young fellows sitting around this province thinking up ways of circumventing the laws.

MR. WISMER: That is true. I am glad the hon. Prime Minister (Mr. Frost) has spoken, because it has been brought to my attention that that is going on.

MR. PORTER: Why did you not say so? Why did you not ask the question?

MR. WISMER: I would like to ask this question, either to the hon. Attorney General (Mr. Porter) or to the hon. Prime Minister (Mr. Frost) - -

MR. PORTER: If you will ask the question, I will try and answer it.

MR. WISMER: I will remind you that the new Security Act, passed three years or more, provided for the creation

of the Broker-Dealer Association which , together with the Investment Brokers and so on, were to have self-discipline within the security business. At the time that was done, I am sure it was done in good faith, but we have the difficulty, and the bad echoes in this business, of which the hon.Prime Minister (Mr. Frost) spoke. My question is, have you had any complaints from the Broker-Dealer Association about its own members?

MR. FROST: I have not.

MR. PORTER: I would have to ask the Securities Commissioner. I have not that information. I do not know whether the Securities Commission has been receiving complaints from the Broker-Dealer Association about some of their own members. It is quite possible they have. If I can get that information, I will give it to the hon. member (Mr.Wismer), although I do not think it is relevant.

MR. WISMER: I asked that question with an important point in view, because it has been brought to my attention that the Commission has ruled that to be licenced by the Commission as one who can participate in the marketing of stock, one must be a member of the Broker-Dealer Association.

MR. FROST: Would the hon. member (Mr. Wismer) object to that?

MR. WISMER: If the Broker-Dealer Association is not capable of disciplining its own members, why should the Commission force people into an association which is failing in its job.

MR. FROST: That was done during Mr.McTague's time.

He felt that the Association should play a part in disciplining its own members. I think that was the general principle, that it would be helpful.

(TAKE "NN" FOLLOWS)

MR. WISMER: But the hon. Attorney General (Mr. Porter) said this worked well and yet we have the situation, where we know we have these difficulties and the Broker-Dealers Association does not seem to be able to disclipine its people.

MR. PORTER: Mr. Chairman, let me say that on the hon. member's (Mr. Wismer) own statement, the Broker-Dealers Association apparently are handling their affairs so well that when they found some of the members who required disciplining and required disciplining beyond what the Dealers themselves could do, they come to the Securities Commission and say, "Here are some of our own members that need disciplining." I think that is doing a good job and I am satisfied they are doing the best job under the circumstances.

MR. WISMER: I am glad the hon. Attorney General (Mr. Porter) is satisfied and said that because originally when I asked the question he said he had no information about it.

MR. PORTER: It was an entirely different question and so obscure I could not understand it in the first place.

MR. WISMER: The second point is, I did not say any of the things the hon. Attorney General (Mr. Porter) attempted to put in my mouth. What I said was that information was the Broker-Dealers Association has failed to discipline its own members and the hon. Attorney General (Mr. Porter) is not able to tell the Committee whether or not the Broker-Dealers Association has come to the Commission to complain about people it cannot discipline and is, therefore, failing as an organization. In spite of that the Ontario Securities Commission is now requiring independent and

highly legitimate, very legitimate Brokers and Dealers in order to be licenced, to become members of the Broker-Dealers Association before they can get licences from the Commission to participate in new issues. Now, why are you moving in that direction when the Broker-Dealers Association, in spite of Mr. McTague, appears to be failing.

MR. FROST: I think the hon. member(Mr. Wismer) goes too far in saying that. I think the Broker-Dealers Association is now doing a very good job.

. He should not condemn that arrangement, because there are some disadvantages in it The Broker-Dealers Association are reputable, good people and that they are giving assistance to the Commissioner. I would say to the hon. member (Mr. Wismer), if he would like to have a chat with Mr. Lennox, these things can be discussed and no doubt his views can be clarified.

MR. WISMER: I do not need my views clarified.

MR. FROST: It is a very difficult problem and one, I think, where we are doing a reasonably good job in view of the difficulties and the situations which have to be met.

MR. PORTER: I do not know yet whether the hon. member (Mr. Wismer) is against this, if he is criticizing us for it.

MR. WISMER: Of course I am against it, you are forcing legitimate honest-to-goodness dealers to to be members of the Broker-Dealers Association.

Now, why? What government policy requires that these legitimate people, good people, honest people, have to join up with an organization which, it is the talk in the street, that that is the organization that is

responsible for those difficulties. What is the government policy that forces good people into this organization which appears to be failing to discipline its bad boys. Now, why?

MR. FROST: Of course, that is your point of view.

MR. WISMER: No, it is not my point of view, I am asking a question, what is the government policy that makes that ---?

MR. FROST: I think it is very desirable.

MR. PORTER: I am not quite sure as to how far the Securities Commission order goes but I do know this, that the Security Commission does this for you. You have an organization of stockbrokers on the Toronto Stock Exchange, they have a certain type of brokerage business, they are not directly engaged in what we call primary distribution, promotion of new stocks for the development of new stocks or for trade in stocks for customers. That is their main business and they have their own Association and they discipline themselves. You have, on the other hand the Investment Dealers Association, the Bond Dealers people who deal in bonds of one kind and another, government bonds, corporation bonds and all that kind of senior securities. They belong to the Investment Dealers Association and they discipline themselves and run themselves and the result is, from a very chaotic condition that existed 20 or 30 years ago, that business is on an even keel and it runs itself. There is very little intervention required by the Securities Commission but at one time that was not so. Now, the same thing applies to this type of business. This is a different type of business. This is the business of going out and

selling stock for purposes of financing new enterprises in mines or oil wells or any kind of a primary issue, money that is raised for the purpose of putting that into some kind of company for the purpose of developing resources of this country, primary issues. Well, this is a certain type of business, a different type of business, most of these people are not on the Stock Exchange at all, they have not any self-governing body except the Broker-Dealers Association.

Mr. McTague's view when he was Commissioner and instituted this programme, he was that the Broker-Dealers should be able to form an Association of their own and discipline themselves to the greatest possible extent. Now, that is the purpose of the Broker-Dealers Association but you have a few people on the fringe who say, "No, we are too respectable to be mixed up with those people selling stocks in this way, we are not going to take any part in disciplining this business, we are not going to have any responsibility like that, we are not our brothers' keepers at all, everybody else is in an Association, everybody is doing this job but we are not 'wildcat' people, we are too pure for that". As a matter of fact, it is not always because they are too pure that they stay out, it is because they want to "get away" with something else. But, when they are in the Association the Association can enforce its own rules and regulations to a very great extent and they know what is going on in the business. In spite of what the hon. member (Mr. Wismer) says, there has been a great improvement in the Broker-Dealers Association since that Association was formed. They have reported some of their members to the Securities

Commission already. That is evidence that this Association is taking care of its members.

MR. WISMER: My information is that they have not reported one.

MR. PORTER: I thought you said they did.

MR. WISMER: I asked you if they did.

MR. PORTER: I do not know, I assumed they had.

MR. DUNBAR: If you want to get into the market I will tall you about some stocks.

MR. WISMER: Steep Rock Iron Mine, is that the one you had in mind?

Mr. Chairman, the hon. Attorney General (Mr. Porter) seems to think no one else has ever had anything to do with the stock market, the open market, never invested any money and he stands up and gives us "a line" with no relation to what goes on on the street at all. This idea that the Broker-Dealers Association was the first group of people who associated together on new issues and new companies and sold them to the public, that sort of thing is merely misleading. The Broker-Dealers Association had to be formed because you had to form a Dealers Association because people had not capital enough to get into the IDA and that is the situation now and you know it, or if you do not, you should ask the Securities Commission, they will tell you. Certainly the IDA is a very well organized group and so are the people of the Toronto Stock Exchange.

MR. PORTER: Well, we do not agree.

MR. WISMER: I am trying to get a little information, the street would like to know where you stand. Very reputable people in the Securities ---

MR. FROST: Mr. Chairman ---

MR. WISMER: Oh, you people talk and talk and talk you have a messy situation on your hands, let me talk a little about it.

MR. CHALLIES: Talk, talk, talk.

MR. WISMER: They do not seem to like it.

MR. PORTER: I cannot honestly say I like it, I am bored stiff with the whole performance. Go ahead and finish it up, get throughwith it.

SOME hon. MEMBERS: Oh, oh.

MR. WISMER: Well, it is interesting, Mr. Chairman, as a further bit of information, that this particular Broker-Dealers Association has to expend in one year ten to fifteen times as much in legal fees as the reputable Dealers' Associations do. Now, what are the spending that money for and who are their lawyers?

MR. PORTER: I do not know.

MR. WISMER: You do not know; where is Mr. McTague, who does he work for?

MR. PORTER: I do not know.

MR. FROST: He does not work for us.

MR. PORTER: You asked the question and I answered it, move on to the next one.

MR. WISMER: This is Mr. C.T. McTague, who used to be Chairman of the Commission and the hon. Attorney General (Mr. Porter) has no idea of where he is right now.

MR. PORTER: I do not know where he lives.

MR. WISMER: He has no idea of where Mr. Wismer is.

MR. PORTER: This Mr. Wismer?

MR. WISMER: No, I know where I am.

SOME hon. MEMBERS: Oh, oh.

MR. WISMER: There are other people by the same name. I mean Mr. Wismer who is a lawyer who used to work for the Securities Commission. And where is Mr. Blackwell, who does he work for, the one who used to be Attorney General and drew the Act?

MR. PORTER: I do not know. Next question.

MR. WISMER: Well, I would like to ask, where is Mr. O'Connor? That is the whole group and who do they work for now?

MR. PORTER: I do not know.

SOME hon. MEMBERS: Oh, oh.

MR. JOLLIFFE: Well, we know if you do not.

MR. PORTER: I am glad you have some information. Why are you asking me if you had all the information?

MR. JOLLIFFE: Just to find out if the hon. Minister (Mr. Porter) knows anything at all about what goes on in thie field.

MR. DUNBAR: A spy system.

MR. JOLLIFFE: No, you had that.

MR. WISMER: Well, I ask the hon. Minister (Mr. Porter) what answer I get "I do not know". But I would ask the hon. Minister (Mr. Porter) if he has any information which would make him think that the financial community in the city of Toronto is a Mecca for sharp-shooters from the United States.

MR. PORTER: That is a matter of opinion.

MR. JOLLIFFE: That is their opinion.

MR. PORTER: That is your opinion.

MR. WISMER: No, it is the opinion of men in the

street.

MR. PORTER: How many?

MR. WISMER: How many?

MR. PORTER: Yes.

MR. WISMER: Well, if I said a dozen ---

MR. DUNBAR: What are their addresses?

MR. WISMER: Well, I do not want to delay this much longer. I would like to ask the hon. Attorney General (Mr. Porter) if he is aware that men in the street believe that three or four people are masterminds in the stock promotion through these various companies?

MR. PORTER: The same twelve men or the next twelve?

MR. WISMER: There was a famous twelve once, you might remember them.

MR. PORTER: I mean, I cannot answer foolish, silly questions that have no rhyme or reason.

MR. WISMER: Well, I will wind up my few remarks with this, that I have discovered what I believed all along, that the hon. Attorney General (Mr. Porter) is not interested in the Securities business, he cares not what goes on, is not very interested in what goes on in the Securities Commission and allows whatever rackets to proceed or any number of racketeers whether they are wanted in the United States or not, to use this city for the promotion of fraudulent deals which at the moment are very greatly worrying the people in the United States and worrying the honest business men in this business downtown and who would like to see the hon. Attorney General (Mr. Porter) just change his mind and take an interest and stop this frivolity in regard to something that is a very serious usiness.

(TAKE "OO" FOLLOWS)

MR. PORTER: The door is always open.

MR. FROST: Let me say, Mr. Chairman, I hope in conclusion, that I have now occupied the office I am in for upwards of two years. My door really is always open to people. I try to listen to people and I do not adopt the practice of having somebody else answer my mail. I try to do it personally. I really have not had any complaints of the nature to which the hon. member for Riverdale (Mr. Wismer) has referred. I have had, I should say, perhaps in that time, very few complaints come in from individuals who have a some particular grievance, but I have not had any complaints about the general set up of things. I will say that prior to the passing of the last Act, which I think was around 1946, as Minister of Mines, I had a great many complaints across Canada. I visited most of the provinces. I had many complaints at that time. That seemed to adjust itself and of late years during the last years I was Minister of Mines -- and I was Minister of Mines six years -- I did not hear any real complaints during the last year or two.

I want to say to the hon. member for Riverdale (Mr. Wismer) that I do not want him to feel we are unmindful of the points of view he has. If it would be of assistance I assure him we would be delighted to have him sit down with Mr. Lennox, whom I know he will find a person who is greatly interested in this province, and discuss the situation with him.

I know Mr. Lennox would give it the utmost consideration and would be very glad to talk the matter over with the hon. member for Riverdale (Mr. Wismer).

I again want to say, Mr. Chairman, that I really have

not had anything in the line of complaints the hon. member for Riverdale (Mr. Wismer) has mentioned. I have had virtually no complaints.

MR. WISMER: Mr. Chairman, I appreciate the hon. Prime Minister (Mr. Frost), himself may not have had any complaints.

MR. PORTER: If there were complaints they would soon get there.

MR. WISMER: It has been reported to me that men whom I certainly respect ---

MR. PORTER: It is a strange thing that the hon. member for Riverdale (Mr. Wismer) as an hon. member of this House never saw fit all these months when he has been seized of all these matters to lay any complaint before any responsible Minister of the Crown or before the Securities Commission as far as I know. He leaves it to make a great big mess of a speech in this House.

MR. WISMER: Yes; the hon. Attorney General (Mr. Porter) is correct, except that he tried to do exactly the same thing one year ago on this same Estimate. He has done nothing since, except to try to force these people into an organization of the type I am talking about before they could ---

SOME hon. MEMBER: Let him go.

MR. WISMER: Yes: "Let him go".

MR. PORTER: You have said all that.

MR. WISMER: Perhaps one should not question these things. But, the public is not happy. Men on the street say to me "Is it not rather funny that the men who are the legal advisors to the Commission and the government, when the Bill was drawn setting up the Broker-Dealers Association,

should now be the legal advisors of the Broker-Dealers Association?" It is not for me to say that is wrong, but I simply say to the House, and to the government that downtown in the financial district they do not think that is a very good thing. They do not like it. They do not like this new ruling that they must belong to that Association if they are to have a licence to participate in new issues. Of course, they continue to be brokers. You allow them to do that but they do not like that sort of thing. I am not sure they have not a good reason for it. I raise it here because I think the hon. Minister (Mr. Porter) should reconsider. I think he should take a greater interest through the Securities Commission in what is going on. It is not necessary to get into these disgraceful conditions in order to finance an iron mine. They are finding lots of risk capital to go up into Ungava. Why should it be so difficult to get this risk capital to go up into northern Ontario unless it so happens there is not anything up there worth going after. I do not say all over northern Ontario. There is a lot of moose pasturage up there which are not worth sinking capital in. What is going on downtown is not helping northern Ontario very much. It would go along much faster in northern Ontario if there was some legitimate financing going into northern Ontario. That is what I am saying to you. That is what the men on the street want you to do something about. Let us have some legitimate financing of our mines. If you have a property up there which has some gold in it you will have no trouble getting risk capital for it, not in these days, any more than you will have trouble getting risk capital to go to Ungava,

because the iron is there. That is the important thing. I say the hon. Attorney General (Mr. Porter) would be a lot smarter Attorney General if he would take it seriously and if he would go after these things.

MR. DUNBAR: Walter Thompson has been a broker and he has never complained to us at all about that.

Vote 36 agreed to.

Hon. LESLIE M. FROST (Prime Minister): There is just one item of insurance I would like to clean up. We might dispose of that item tonight. Vote No. 94, Department of Insurance.

MR. CALDER: One question, the answer to which I do not expect the hon. Minister (Mr. Porter) to have at once. What supervision is there in relation to the health insurance policies to corelate the number of hospital beds available with the possible demand for hospital beds, say, in case of epidemic?

MR. FROST: That is a $64. question.

MR. CALDER: May we have a studied answer in time?

MR. FROST: All right.

MR. PORTER: I will have to get the answer to that.

MR. CALDER: Yes, I asked it seriously.

MR. JOLLIFFE: I have another question in the same connection. I think to save time I will take it up later with the hon. Attorney General (Mr. Porter) and with the hon. Minister of Health (Mr. Phillips).

MR. DENNISON: I wonder if the hon. Prime Minister (Mr. Frost) would like to make a statement to the House as to why he refused the Saskatchewan Fidelity Company the right to come to Ontario to sell insurance? This company is partly government owned and partly owned by private investors. I

think the government owns about 55% of the stock in that company. Any company owned by American capital or South American capital, or capital from any other part of the world, would, no doubt, have been given a licence. Therefore, when a province asks to come in, which may save us some money on our fire insurance premiums, our government says no.

MR. PORTER: I do not thik there is any doubt about the course that was taken, or, I do not think there was any question about it in respect to the correctness to the way in which it was handled.

MR. JOLLIFFE: We do not think so, either.

MR. PORTER: This company which the hon. member for St. David (Mr. Dennison) mentions, is a Crown Corporation of the province of Saskatchewan.

MR. PARK: Do you not operate a railway company in another province?

MR. PORTER: Are you going to let me speak?

MR. JOLLIFFE: The hon. member for Dovercourt (Mr. Park) does not interrupt the hon. Minister (Mr. Porter) as frequently as does the hon. Minister (Mr. Porter) interrupt the other members of this House.

MR. PORTER: Thank you, sir.

This Crown Corporation which is owned and controlled by the government of Saskatchewan sought a licence in the province of Ontario to sell all manner of insurance to the people far and wide. We thought that it was an unsound thing for us to permit a company owned by another provincial government to enter into the competitive field in Ontario where these companies are carrying on subject to the control

of this government. I cannot conceive of anything which might lead to more differences between two provinces than that. If the Saskatchewan government wishes to carry out some socialistic scheme for its own citizens, with its citizens' money, ---

MR. JOLLIFFE: Give us some reasons.

MR. PORTER: I am giving them now. We have heard enough of this nonsense.

MR. JOLLIFFE: We have heard a great deal of it.

MR. PORTER: Here is a company which is backed and owned by a government.

MR. DENNISON: And some private investors.

MR. PORTER: And supported by the taxpayers of Saskatchewan. It is all right if they want to do that and do something for their own taxpayers, but, to have a Crown company of that kind backed by the taxpayers of Saskatchewan come into Ontario and do business in Ontario, I do not think is a sound proposition. I think we didthe right thing in not giving them the licence. The same decision was followed in the provinces of Alberta and British Columbia.

MR. JOLLIFFE: Mr. Chairman, the hon. Minister (Mr. Porter) has said that it was backed by the taxpayers of Saskatchewan. That is a perfectly absurd statement. It was not backed by the taxpayers of Saskatchewan.anything to the extent the Ontario Northland Railway has been by the province of Ontario. The Ontario Northland Railway has been operating in Quebec for many years.

MR. WELSH: That is not so.

MR. JOLLIFFE: I know there is a local fiction whereby the Ontario Northland Railway professes not to operate in the

province of Quebec. That fiction fools nobody, least of all the hon. Minister (Mr. Porter) and myself. The Ontario Northland Railway operates in the province of Quebec, in Northern Quebec. We all know it. Here is the province of Ontario with a provincially- owned railroad transacting business and operating a railroad in another province. The hon. Attorney General (Mr. Porter) stands up here tonight and tells us that he thinks it is unsound, without giving a single reason why, for a company of the government of Saskatchewan ---

MR. PORTER: Give us one reason why it would be sound.

MR. JOLLIFFE: The hon. Attorney General (Mr. Porter) is trying to wriggle out of this. It is the hon. Attorney General (Mr. Porter) who accepts the responsibility for rejecting an application, which I understand, was, in other respects, in order. The onus is upon him to give us reasons for having accepted the responsibility for rejecting it.

MR. FROST: I think I can give the reasons, if you want them. First of all, with respect to the Ontario Northland Railway -- and I forget the name of the railway which operates into Quebec -- there was an arrangement ---

MR. JOLLIFFE: It is so much of a fiction that the hon. Prime Minister (Mr. Frost) has forgotten it -- and so have I.

MR. FROST: There was an arrangement some years ago with the Province of Quebec -- the Nipissing Central Railway is the name -- to provide service for the people of that part of the province of Quebec. It was agreed upon years ago. No doubt that railway has given service to the

people of the province of Quebec, and good service. That was agreed upon as between the two provinces at that time.

Let me take the hon. member for St. David (Mr. Dennison) back to the question of the insurance company. The province of Saskatchewan owns a controlling interest in an insurance company. It was reported in the paper yesterday, I think, giving a list of the Crown companies operated by the province of Saskatchewan. The company last year, I think, sustained quite a substantial loss.

(TAKE "PP" FOLLOWS)

MR. JOLLIFFE: Is the hon. Prime Minister (Mr. Frost) sure he is not thinking of the government Insurace office because that is a separate matter.

MR. FROST: No.

MR. TEMPLE: On a point of order; they made a substantial profit last year.

MR. FROST: Whether they made a profit or suffered a loss, this is an insurance company which the Government of Saskatchewan, in its wisdom, is controlling for the benefit, as they see it, of the people of Saskatchewan.

Down here we have an Unsatisfied Judgment Fund, which is operating for the benefit of our people here. After all, we try to get along with our neighbors --

MR. TEMPLE: It does not look like it.

MR. FROST: We try to get along with the other provinces, and be good friends with these people. We think it would be very unwise for an insurance company which is operated by another government, should come down here and be subject to our rules and regulations. Everything we might do might be taken as an affront to that company. It would not lead to good relations. I think it would be better for them to run their insurance company out there, and we run our Unsatisfied Judgment Fund, or any other creation that may be functioning down here.

There are many factors which enter into this. I think it is a matter of good relationship between the provinces.

I have here a matter which was referred to in the Toronto Saturday Night, relating to that company and the government's operation of it. I do not intend to read it,

for the reason that it is not my business. I do not want to criticise what they are doing in Saskatchewan.

MR. JOLLIFFE: You are quite sure that refers to this company?

MR. FROST: That is the business of the people of the province of Saskatchewan. I think the best way we can operate in amity in this country is to confine our affairs within our province. I do not want to do anything in Ontario which might offend the people in the East or the West, and I know they do not want to do anything which might offend us. I think the hon. member (Mr.Jolliffe) will agree that it is wisdom for us to operate the way we are operating.

MR. TEMPLE: Absolutely unfair.

MR. FROST: I realize there is nothing I can say that will satisfy the hon. member (Mr. Temple).

MR. TEMPLE: Nothing you have said so far.

MR. FROST: There is nothing I could say which would satisfy them nor lead them to believe that it is good policy, but I will say, in furtherance of our position, that I think we have greatly strengthened the position of our provice in relation to other provinces .

For instance, I have the highest personal regard for hon. Mr. Douglas, and I invited him to come and spend a couple of days with us and see some of our problems, and he said he would come down when he had the opportunity. I would be very glad to let him see the difficulties we have in the province --

MR. JOLLIFFE: Some of your problems are over here.

SOME hon. MEMBERS: Oh, oh.

MR. FROST: A great many. There are twenty-one problems in your corner.

AN hon. MEMBER: They will not be here very long. They will be over there.

MR. FROST: I think, under our usual provincial relationships, there are certain governments of other provinces which, in the past, have thought our way was a bed of roses. They do not know anything about the real difficulties and the problems which we have. I asked Mr. Douglas, as I have asked some of my hon. friends from other provinces, to drop in and see something about our affairs here. I think our relationships are the better for it.

I would say, as a matter of government policy, we do not think it is a good thing to create situations in this province which are apt to cause friction. I think the hon. members opposite will admit that.

A few moments ago, I listened to the hon. Attorney-General (Mr. Porter) speak of the responsibility in connection with Crown Attorneys. After all, he has to be satisfied. It is part of his job. If the people are doing the work in a manner which is not satisfactory to him, change it. As a matter of government policy, we have to use our best judgment in a way which will produce the best relationships with the other governments in Canada, and I think that is a sufficient reason, and a very wise one.

MR. JOLLIFFE: Mr. Chairman, I appreciate the spirit in which the hon. Prime Minister (Mr. Frost) has made his statement, but I do still feel rather badly that he should so under-rate some of us on this side of the House, as evidenced by the reasons he has advanced.

The Insurance Company in question is a business enitity; it is not a branch office of the government of Saskatchewan, as the hon. Prime Minister (Mr. Frost) must be well aware. It is a share capital company. Just to show the Committee how little there actually is in these specious argument we have heard, may I point out that the Canadian National Railway, which is analagous --

MR. FROST: Oh, no.

MR. JOLLIFFE: -- in that it is a Corporation in which the government holds the controlling interest, operates not only in a number of provinces, but it actually operates in a foreign country.. It does an enormous business in a foreign country, and has done so for many years, under one name or another and there has never been any suggestion that the relations of this country with our great neighbor to the south, have ever been prejudiced because the Canadian government happens to have an interest in the Canadian National Railway. I submit there is no substance in the argument advanced by the hon. Prime Minister (Mr.Frost).

. The Insurance Company in question is a share-capital company, but the owners of the shares happen to be in some measure the government of that province and I do not think it is their ideology which prejudices this government. The share holders might include people with criminal records, or, as is more after the case, they might be legimate and law-abiding share holders in the company, and when that company seeks to do business in Ontario, this government should not stop them because of their minority criminal record, nor the morals, nor the status of any of its share holders. If they do, the

government is discriminating against a government which happens to be a shareholder, as opposed to any other shareholders. If a company comes here and is unable to qualify as any other company would be required to qualify under the laws of this province then, of course, its application should be rejected and it should be given no preference. No company should be given the preference because the government happens to be amongst the shareholders, but, by the same token, no company should be discriminated against because a government happens to be the shareholder. I feel badly that we have been given the argument we have been, because I cannot believe the hon. Prime Minister (Mr. Frost) is serious about it. Here is a company with large capital prepared to compete, under the laws of Ontario, with other companies, which is able to qualify under the rules and regulations in our province, I say let them in, as there has not been one jot or tittle of evidence given to show why it should be discriminated against/except on the ground that the government happens to be a shareholder.

MR. DENNISON: What would the Canadians think if Great Britain or the United States were to take the stand taken against the Saskatchewan company -- supposing they took such a stand against our Trans-Canada Airlines, which is making use of their bases, and establishing routes from here to New York --

MR. MILLARD: And entering into competition with their own air lines.

MR. DENNISON: Yes. It seems to me we should be reasonable about this, and we should get into one camp or the other. For a long time in Canada, we will have to make

up our minds that we will have some enterprises run as free enterprises, and some run as privately owned enterprises, and we will have another group owned by people at the municipal level, the provincial level, or the Dominion level. Why dan we not agree that we will have real free enterprise between these neighbors, and let us establish a yardstick as to their efficiency by letting one compete with another. I do not think it would do any harm to have a little competition here. If they are able to sell something in Saskatchewan for $17.00 for which we charge $83.00 here, I think we need a little competition.

It seems to me the government is taking a very extreme and a veryradical position here in saying there must be no encouragement for a government-owned enterprise. That is the same condition as evidenced by those who say that everything must be owned by the government. We have one segment of the people who are reasonable, and we have the segment that think it is legimate to have free enterprise, owned and operated by individuals, and we have the segment believes everything should be owned by the people at the municipal level, the provincial level or the Federal level.

That is all I want to say, except that here we have an insurance company, and we aredoing nothing only acting as a policemen; it is not giving the people any insurance protection, as such, and it is taking no responsibility for keeping the rates down, and what is the fact --

MR. DUNBAR: They put the fires out.

MR. DENNISON: No, they stand back and let the

Ontario people pay premiums amounting to twenty-five million dollars a year for fire insurance, and over the last forty years they have never paid us any more than 42% of the fire losses. We have the Workmen's Compensation Board, under the Department of Labor, which is, in a way, an insurance company, and they can function on a cost ratio of six or seven per cent; that is all that is required for the operation of the Board, yet our insurance companies in Ontario require 58% of the premiums. This has been going on for forty years. Think of the millions and millions and millions of dollars -- I almost said "billions"-- we have lost here, and yet we are asked to give this Department $132,000.--

Vote No. 94 agreed to.

HON. LESLIE A FROST (Prime Minister): Mr. Chairman, I move the Commitee do now rise and report progress.

SOME hon. MEMBERS: Oh, oh.

Motion agreed to.

The House resumes (Mr. Speaker in the Chair)

MR. T. L. PATRICK (Middlesex North): Mr. Speaker, the Committee of Supply reports it has come to a certain resolution, begs leave to sit again, and moves the adoption of the report.

Motion agreed to.

MR. FROST: Mr. Speaker, before moving the adjournment of the House, may I say on Tuesday we will go ahead with Bills on the Order Paper.

As regards the balance of the Estimates; I think we might have the Welfare Estimates on Tuesday, in order that certain payments be made before the end of the month.

The hon. Minister of Welfare (Mr. Goodfellow) has spoken to me about that, so we will have to have a night Session on Tuesday. On Wednesday, there will be no night Session. We may have to have a night Session on Thursday, depending on progress.

With regards the balance of the Estimates, we can fit them in here and there. I think the Department of Labor has been discussed until it is threadbare, and I do not think there will be much question in regard to the Labor Estimate.

MR. PARK: We have not said a word to the hon. Minister (Mr. Daley) yet.

MR. JOLLIFFE: Our favorite Minister.

(TAKE QQ FOLLOWS)

MR. FROST: I think that has been well discussed this year. I would suggest to my hon. friends in connection with Lands and Forests, we are arranging to have the Lands and Forests Committee meet on----?

Hon. H. R. SCOTT (Minister of Lands and Forests): Thursday morning.

MR. FROST: On Thursday morning, and I think that probably the curiosity of hon. members might be satisfied so that we could get through the Estimates of that Department;-

MR. G. E. PARK (Dovercourt): In five minutes.

MR. FROST: --that afternoon or evening. Now, that only leaves Planning and Development, and Treasurer left over. I think we should be able to put those in next week and clear them up early in the week, which will leave time for the discussion of some of the important Bills and legislation.

MR. A. A. MacLEOD (Bellwoods): What about the Budget? Have you forgotten about that?

MR. FROST: Well, I will call that in the fullness of time.

SOME hon. MEMBERS: Oh, oh.

MR. FROST: And we can have the vote on that and pass the Budget --I hope unanimously.

Mr. Speaker, I move--

MR. E. B. JOLLIFFE (Leader of the Opposition): Mr. Speaker, reverting to the "fullness of time," I hate to bring this up again, but the hon. Prime Minister (Mr. Frost) did make a commitment about that broadcast by the Department of Education--

SOME hon. MEMBERS: Oh, oh.

MR. JOLLIFFE: --in collaboration with the Canadian Broadcasting Corporation. Now, I do not want to cast any embarrassment on--

MR. FROST: Is there a copy here and I will read it.

MR. G. I. HARVEY (Sault Ste Marie): Not tonight.

MR. FROST: Yes, tonight.

MR. JOLLIFFE: I think this would be a very good time to read it.

AN hon. MEMBER: What about this Committee?

MR. FROST: I will ask my hon. friend the member for Bellwoods (Mr. MacLeod), who has a good voice, to read it.

MR. MacLEOD: I will read it.

MR. JOLLIFFE: Yes, he would be a good man to read it.

MR. FROST: Now, do not be impatient, we are having a good time here.

MR. JOLLIFFE: Well, while the hon. Attorney-General (Mr. Porter) is looking for that--

MR. PARK: The hon. Minister of Education (Mr. Porter).

MR. JOLLIFFE: We have the Easter week-end before us and I was wondering if he intends to move the motion he mentioned earlier tonight about the appointment of the Select Committee?

MR. FROST: Mr. Speaker, first of all, might I say as regards the boradcast, I move that we take it as read.

SOME hon. MEMBERS: Oh, oh.

SOME hon. MEMBERS: Oh, no.

MR. FROST: That will get us over that.

Motion agreed to.

MR. FROST: Now, as regards the Committee, I am quite serious about the Committee and on Tuesday we will bring in a motion covering the appointment of the Committee and its scope. In doing that, Mr. Speaker, I point out to my hon. friends that we are taking the course which they themselves

said they were going to take but did not. Now, we are going to do that and we are going to do it on Tuesday. That is official.

9 SOME hon. MEMBERS: Hear, hear.

MR. FROST: Mr. Speaker, I move that the House do now adjourn.

MR. JOLLIFFE: I hope that it will have the scope that was mentioned.

MR. FROST: My hon. friend (Mr. Jolliffe) wanted an investigation into the matter of Windsor and the Windsor--

MR. PARK: The administration of justice.

SOME hon. MEMBERS: Oh, oh.

MR. JOLLIFFE: That is not what I said. If the hon. Prime Minister (Mr. Frost) is trying to crawl out of this, it will not do.

MR. FROST: Oh, no.

MR. JOLLIFFE: Because that is not what I said, not what I asked for.

MR. FROST: You did not ask for anything, that is the big trouble.

Hon. G. H. DUNBAR (Minister of Municipal Affairs): Don't come down to Eastern Ontario with any of your investigations, we are getting along nicely.

SOME hon. MEMBERS: Oh, oh.

MR. MILLARD: Well, you will have to go to Peru then.

MR. H. L. WALTERS (Bracondale): What makes you so nervous?

MR. FROST: Why are you people so nervous?

AN hon. MEMBER: Gestapo.

MR. SPEAKER: We have a motion for adjournment of the House. I hope we are not going to repeat a lot of that

to which I listened on the sidelines.

Motion agreed to.

The House adjourned at 12.09 of the clock a. m.

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PROCEEDINGS

OF THE

THIRD SESSION

OF THE

TWENTY-THIRD LEGISLATURE

PROVINCE OF ONTARIO

Hon- (Rev.) M. C. Davies, Speaker

Volume XXXVI

TUESDAY, MARCH 27, 1951

The House having opened.

Prayers.

MR. SPEAKER: Presenting petitions.

Reading and receiving petitions.

Presenting Reports by Committees.

Motions.

Hon. DANA PORTER (Attorney-General): Mr. Speaker, I move, seconded by Mr. Frost, that a Select Committee of this House be appointed to inquire into the administration of criminal justice in the province, including the constitution, maintenance, and organization of provincial courts of criminal jurisdiction; the constitution, maintenance and organization of police forces and particularly the methods and procedure adopted for the detection, prosecution and prevention of breaches of the criminal law as to gambling, betting and similar offences and to report and make recommendations where considered advisable.

Mr. Speaker, I think this motion should include some authority for this Committee to sit after the adjournment of the Legislature. I would wish to amend the motion in that way, if I may do so at this stage. I move that the Committee have authority to sit during the interval between sessions with power to send for persons, papers and things.

Mr. Speaker, this motion is for the purpose of setting up a Select Committee which would represent hon. members of the Opposition as well as hon. members of the Government with power to make as full and wide inquiries as the Committee may consider advisable into the administration of justice as it is carried out in

the courts of criminal jurisdiction. A great deal has been said in the last few months on this subject.

I may say at the outset, Mr. Speaker, that as far as the Government is concerned, as far as the Department of the Attorney-General is concerned, as far as I am concerned, we have nothing to hide, we never had anything to hide and we are quite prepared to have the light of day come into any aspects of our proceedings. If no other hon. member of the House wishes to proceed with this motion, we are proceeding with it ourselves because there have been suggestions, innuendoes and all sorts of statements made, and many of them have gone into the Press as to what various hon. members of this House and others apparently think, but now that we are in Session, and now that the matter can be dealt with, since none of the hon. members of this House obviously do not see fit to bring this motion, I, myself, am introducing it.

I may say that one aspect of criminal justice is particularly singled out and mentioned in this motion because, in the administration of justice in the Province, one of the big problems today, not only in this country but, as we have seen by the Press, in the United States of America, gambling on a large scale, gambling which involves money and the dangers and many of the evils which result in large-scale professional gambling is one of the major problems which must be tackled. I thought that it would be advisable to mention that, particularly so that this Committee could direct its attention to that problem, especially if it so desires to find out all the information which may be available as

to what steps are being taken, what steps may be taken, whether or not there is anything more which can be done within the jurisdiction of the Province to improve the system of prosecution and the system of detection, and any steps which may be made for the prevention of this type of activity which carries with it many allied evils and possible crimes and becomes rooted on a big scale, especially in view of an alliance or tie-up with some of the groups which engage in this sort of thing in the United States across the border.

I may say we have had some correspondence over the last few months with the Department of Justice in Ottawa with respect to ways and means of preventing and detecting this sort of activity. It is hoped that some steps may be taken there which will make it more readily possible without destroying the privacy of legitimate individual occupations which may make it more readily possible to pursue the offender who is operating along this line. All that, of course, will be available to this Committee to be considered and it is our hope that some valuable suggestions will come forward which can be adopted and carried out. In any event, the activities, the methods pursued, the whole system employed in the Department with respect to the administration of justice, will be under the scrutiny of this Committee and we will be ready to call forward any of the officials or any of the other persons who may be concerned in this matter to give the fullest information the Committee may require.

Hon. LESLIE M. FROST (Prime Minister): Mr. Speaker, might I, just before the Hon. Leader of the Opposition

(Mr. Jolliffe) speaks, also say something in addition to what the Hon. Attorney-General (Mr. Porter) has said about the Government policy involved in this matter which, I think, along with what the Hon. Attorney-General (Mr. Porter) has very properly said, will place the matter clearly before the hon. members of the House.

This motion, as the Hon. Attorney-General (Mr. Porter) has said, is, of course, a Government motion made entirely on the volition of the Government without any request from anyone in the House for such a Committee. Last Wednesday night the Government proposed such a Committee quite on its own initiative. I can say now that the proposal was made not without a good deal of consideration on the part of the Hon. Attorney-General (Mr. Porter) and myself. We discussed this matter over the preceding months on a number of occasions. At that time we thought that it would be advisable to allow the matter to stand until the House met and until we could hear something of what some of the hon. members said about this matter.

As has been intimated, I was one of a Committee of five appointed a dozen years ago to study and report on the general subject of administration of justice in Ontario. This Committee, as some of the hon. members present will recollect, arose from the legislation introduced by the then Attorney-General, Mr. Conant, concerning the proposal to abolish grand juries and proposing mixed juries in Ontario. While the scope of the Committee was not limited, the Committee did indeed confine itself very largely to matters of civil law. Of course, the Committee did spend a good deal of time on

the matter of the proposed abolition of grand juries and there was a divided report on that particular subject. Actually, the Committee largely confined itself to matters of civil law. The Committee porposed today, I think, - and it is in accordance with the resolution - might better confine itself to inquire into the administration of criminal justice and criminal law enforcement. To get into the whole subject of the administration of justice, civil and criminal, is sort of a huge task and, in view of the fact that the former committee confined itself pretty well to civil law, I think this committee might pretty well confine itself to criminal law. I may say this Committee is not being set up because of complaints which we have received in connection with law enforcement, but because of the desire of the Government that all enforcement agencies should be the best and that complacency should never creep into the administration of law.

The Hon. Attorney-General (Mr. Porter), without in any way limiting the scrope of the Committee, has indicated some subjects which might be considered and I add a few more. (1) Is our Police Commission system adequate and particularly in the larger centres? We have had some feelings that, in the larger centres, perhaps the Commissions should be enlarged. That is a very reasonable subject matter for a Committee to enquire into. (2) Is the fee system in vogue in some of the smaller districts satisfactory, or should there be a different approach? That, in itself, is a very important subject, one which the Hon. Attorney-General (Mr. Porter) has constantly under consideration.

(3) At one time, special crown counsels were appointed in Assize Courts and latterly this has been left to crown attornies with the assistance of the Attorney-General's staff. Is this adequate? Would there be improvement with the use of special crown prosecutors as used to be the case? That is a debateable subject, Mr. Speaker. In the old days I well remember such men as Peter White; a Mr. Makins, I think, of Brantford; Mr. A.B. Cunningham of Kingston; and Mr. B.B. Osler; Mr. Geroge Blackstock, and no doubt there was a great deal added to that system in the administration of justice in Ontario. It is open to question whether that same condition would be improved by introducing special crown counsel now. That subject may very well be considered by the Committee. (4) The all-important matter of the use of our communications systems - telegraphs, telephones, radio and television - which are under federal control, by gambling interests, in this province. That, in itself, is a huge and difficult question. As a matter of fact, our municipal and provincial police are under a very great disability in law enforcement because of this and I have already tabled correspondence with Senator Kefauver, and with the Hon. Stuart Garson, which sets out all positions. We believe that a great deal more control of these agencies can be exercised which will not place our police under almost insurmountable difficulties in enforcing the law. In other words, I do not think the lawbreakers should be given the privileged position of no handicaps and that our police force should be placed under a very great disability. I was interested to note in the Press this morning that

J. Edgar Hoover, Director of the Federal Bureau of Investigation, told the Senate crime probers that organized gambling could be wiped out anywhere in the United States within forty-eight hours if State and local laws were strictly enforced. Their Constitution, of course, is different from ours. I can say this, however, as regards our situation: that with close working arrangements between the Federal and Provincial Governments and a tight measure of control by the federal authorities with the use of wire and wireless communications, insofar as gambling and vice interests are concerned, that any difficulties in this country could be very quickly cleaned up. It is a matter of arriving at a commonsense, workable arrangement in which one does not give the crooks all the leeway. That, I think, is the situation. The Commissioner of Provincial Police can place before the Committee the difficulties which exist in this regard and, Mr. Speaker, very real difficulties they are.

Concerning the Windsor situation, I have this to say. I am quite in agreement with what the Hon. Attorney-General (Mr. Porter) said the other night. The difficulties there arose largely from complacency. I was quite interested to note that the Chief of Police and the Deputy Chief of Police down there had been on their jobs for over thirty years. Nobody can tell me that these men in their day had not been good men or they could not have stayed there that long. The fact is that they were people who had been there for a long time but by reason of certain difficulties, probably they became somewhat worn down and complacent. I think

that was the principal cause of the difficulty down there. In the meantime, however, a new Crown Attorney, a new Chief of Police and a new Police Commission have been appointed. We believe they will do a thoroughly good job. The purpose of this Committee is certainly not to inquire into the Windsor situation, particularly. Any inquiry in Windsor would be co-incidental with inquiries elsewhere. As a matter of fact, the publicity which was given to the city of Windsor created many unjust impressions. The people of Windsor are good people and I am quite sure they are well satisfied with the steps that have been taken to strengthen law enforcement in their community and the Government is not in sympathy with any action which would make it appear that law enfofcement in that fine city is now at a lower ebb than elsewhere. Such, I feel, is untrue and therefore I want to make it plain that this Committee's work is directed to law enforcement in the whole province.

In this regard may I point out that the Government's purpose in this matter is not to engage in a campaign of mud-slinging and undermining of people's confidence in the administration of our laws, rather it is the strengthening of public respect for administration of justice which is already on a high level in this province, by letting the people know that both enforcement agencies and the government are determined not to become complacent but rather constantly alert to better methods and better practices, with the idea of giving our people the very best in law enforcement. I can re-echo what the Hon. Attorney-General (Mr. Porter) said in his radio broadcast last night:

"Our police forces and law enforcement agencies in this province are on a high level. We will keep them so."

The purpose of this Committee is to see that everything is done to see that our system of law administration is the very latest and meets the needs of the day in which we live. Concerning the size of the Committee, I think it is extremely desirable that the same should not be too large. My own impression of the Committee of a dozen years ago was that five was an ideal number. It was possible to get the Committee together quickly and regulate and conduct the inquiry with just that. Our proposal is that the five members should consist of the Hon. Attorney-General (Mr. Porter) as Chairman, with two other Government nominees, and that both of the principal Opposition groups should each have one member, making two from the combined Opposition, and a total of five in all. This would follow the pattern of the former Committee which inquired into the administration of justice, the report of which, I believe, was a valuable contribution to the betterment of our laws in Ontario.

(TAKE "B" FOLLOWS)

Now, Mr. Speaker, I think that, together with what the hon. Attorney General (Mr. Porter) has said, will meet the purpose of this Committee. Again I want to say that we desire to increase the people's confidence in the administration of justice, and not undermine it. Nobody does a service to his Province or his Country who recklessly undermines people's confidence in the administration of our laws. On the other hand, I think it is well to let our people know that we, as government and a Legislature, are determined that our Province would not have anything but the very best in this regard, and that is the purpose of the Committee; not to engage in a lot of "mud slinging" and recriminations, but to get together a Committee of this House which would give to the people an honest survey of our system, and if there are ways of betterment, let us have them. I do not think there is any hon. member of this House -- indeed, I do not think there is anybody in Ontario -- who can view with complacency the situation on the other side of the line. I was talking to a very prominent gentleman from Washington to-day, who tells me about the alarm the people feel over the situation in the States, one which I am sure the American people clear up. We do not want to have any "beachhead" in this province for the law-breakers from the other side; we want to make it a pretty unhealthy place for those gentry, if they come here, and I think a reasonably workable partnership between the Federal and the Provincial Governments, and between the Mounted Police, the Provincial Police, and the Municipal Police can be worked out which will not

place our police forces in any great disadvant geous position.

I think that is the purpose of the Committee, and that is the way we approach this problem. That is, from the high level of giving our people the very best.

SOME hon. MEMBERS: Hear, hear.

MR. E. B. JOLLIFFE (Leader of the Opposition): Mr. Speaker, speaking very generally, I heartily welcome the tenor of the remarks which have been made by the hon. Prime Minister (Mr. Frost) and by the hon. Attorney General (Mr. Porter) and the Resolution which has just been introduced.

However, this matter is a most important one, and there are two features of the proposal which I think merit some further consideration. One is as to the form of the Resolution, the Committee's terms of reference; and the other is as to the number and size of the Committee itself. I am not at the moment prepared to argue that the proposal which has been made is necessarily wrong, but I think that some further consultation should be had not only with the hon. members of the House, but with the Clerk of this House, with reference to the Resolution, now before it.

First, as to the form of the Resolution; it may, strictly speaking, be in proper form, but is not the same as Resolutions of this kind are usually framed. I have here, for example, the Resolution of 1939 by which a previous Committee was appointed, and I would like the hon. members of the House to follow very carefully the language which was used on that occasion. What I have

to say now is directed not so much to the subject matter of the Resolution, but as to its form.

In the Journals for the 1939 Session, on the 21st of February, at page 86, we read:

> "On motion of Mr. Conant, seconded by Mr. Leduc, ORDERED, That a Select Committee of this House be appointed to enquire into: The Administration of justice in the Province, including the constitution, maintenance and organization of Provincial Courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those Courts, with a view to -
>
> (i) improving the constitution, organization and the system of maintenance of the said courts,
>
> (ii) simplifying, facilitating, expediting and otherwise improving practice and procedure in the said courts, and
>
> (iii) effecting economy to the people, the municipalities and to the Province generally,
>
> and to report upon what amendments are necessary or desirable to the existing law.
>
> The said Select Committee to consist of Messrs. Conant (Chairman), Leduc, Strachan, Arnott and Frost, and to have authority to sit during the recess of the House.
>
> And that the said Select Committee shall have full power and authority to call

for persons, papers, and things, and to examine witnesses under oath, and the Assembly doth hereby command and compel the attendance before the said Select Committee of such persons and the production of such papers and things as the said Committee may deem necessary for any of its proceedings or deliberations, for which purpose the Honourable the Speaker may issue his warrant or warrants."

The working in that Resolution follows closely the advice in Major Lewis' work on "Parliamentary Procedure in Ontario", in which, amongst other things, he says:

"The Select Committee (or Special Committee) is a very useful survival of the custom which developed in the British House during the reign of Elizabeth of appointing a Committee to deal with some particular question and report thereon to the House. Such Committees are still used very freely for the purpose of giving consideration to matters which do not fall automatically to the consideration of one of the Standing Committees. Some proposed bill dealing with a matter of serious importance which deserves special attention is, after receiving its Second Reading in the House, referred to a Special Committee to be discussed in detail, or redrafted, and to be reported back to the House for final consideration."

And then, continuing on to a later paragraph, he writes:

> " Select Committees are appointed on motion for some special purpose and the mover specifies the number of members for the Committee and may name the members of the proposed Committee, in fact, this is the general rule.
>
> Unless by permission of the House, no Select Committee may consist of more than fifteen members (see Rule 10).
>
> When a Select Committee has completed its work and made its report it dissolves automatically.
>
> No Committee can hold sittings, during the hours set for the sitting of the House, except by special permission of the House and such permission is granted only for very urgent reasons.
>
> Under the provisions of the Legislative Assembly Act (Chap. 12, Sec.43, R.S.O.1937) the Assembly may at all times command and compel the attendance before the Assembly or before any Committee thereof, of such persons, and the production of such papers and things as the Assembly or Committee may deem necessary for any of its proceedings or deliberations. Section 44 of the same Act provides that the Speaker may issue his warrant or subpoena, directed to the

> persons named in the order of the Assembly, requiring their attendance before the Assembly or a Committee thereof, and the production of such papers or things as may be required."

And then he sets out the usual form of oath administered to a witness, and then goes on:

> "The Assembly has power under Section 54 to punish, as guilty of a breach of privilege or as contempt of court, any person who refuses to obey a summons of the Speaker to attend or to produce papers or other things, or who attempts to tamper with witnesses so summoned, or who gives false evidence or tampers with papers or things ordered to be produced".

Mr. Chairman, the reason I attach some importance to the form of the Resolution and the powers conferred upon the Committee is that if the Committee is to go into the question of gambling -- as the hon. Prime Minister (Mr. Frost) has stated -- it is possible -- indeed it is more than possible that the Committee may encounter a recalcitrant witness somewhere along the road. If the experience with other Committees is any guide, that is probable, and I think it is important that the Committee should have all the powers which may properly be given to a Select Committee, so that it may not be restricted in any way at any point in the course of its investigations, because of some defect in the Resolution itself.

As I indicated in quotation, it is customary for the Resolution itself to specify the number of people on

the Committee. I will say no more about that, except as I have said, I think perhaps it might be worthwhile to consult further with the hon. Prime Minister (Mr.Frost) or the hon. Attorney General (Mr. Porter), and with my hon. friends to my left, before we state our views on that question.

There are one or two other points which I think should also be taken into consideration, apart from the number of members and the powers of the Committee.

The first is the expression which has been used, namely, "Criminal Justice." I think perhaps what the hon. Prime Minister (Mr. Frost) had in mind was criminal justice as distinguished from civil justice, and on that point I do not disagree with what has been proposed. I would, however, point out that from the popular point of view, the term "criminal justice" is an ambiguous term. Many people do not apprehend "criminal justice" strictly signifies the law as it is found in the Criminal Code of Danada. That, after all, is a definition the general public do not understand. From the point of view of the general public, "criminal justice" includes all matters in which the hon. Attorney General (Mr. Porter) or his representatives interest themselves in enforcing or attempting to enforce the law.

If I may take a gery simple example; from the technical point of view, the enforcement of the Highway Traffic Act is not a matter of criminal justice, but as far as the public is concerned, an offence under the Highway Traffic Act appears to be a criminal offence. A great deal of the business transacted in our Courts of

criminal jurisdiction, includes offences under the Highway Traffic Act and other provincial statutes, and, indeed, when you speak of a "criminal record" most people understand you to include a series of offences under the Highway Traffic Act, and other Acts.

So I am doubtful of the wisdom of limiting the scope of the Committee by the term "criminal justice". I think that might be given further consideration, because I understand from what was said today by the hon. Prime Minister (Mr. Frost) and the hon. Attorney General (Mr. Porter) the intention is to make it a broad enquiry, not to restrict it to any particular place in the province, nor to any particular Police Commission, or any particular Court in the province, but to work toward the end of improving our standards of law enforcement in every part of Ontario. That is a most laudable end in which I think every hon. member of this House must be sincerely interested.

There is one further point which I think it is necessary to make, because again there may be a misunderstanding on the part of the public, and that is, although a Select Committee have a very useful function to perform -- and in my judgment, some of them have done an excellent job in the past -- nevertheless, rightly or wrongly, precedent has decided that a Select Committee may make only one report.

For example, some years ago, unless my memory deceives me, there was a Select Committee on Lands and Forests. I forget its exact terms of reference; I do not remember whether the hon. Prime Minister (Mr. Frost) was a member of that Committee, although I think he was. In any

event, the former hon. Prime Minister (Mr. Drew) was a member of that Committee, and he was then the Leader of the Opposition.

There was some difference in the views of the Committee about the terms of its Report, and a minority Report was written, and in fact, it was sought to submit it to the House as a Minority Report, but they were not technically able to do so under the rules, and under the precedents.

That point is dealt with also in Major Lewis' book, by this statement:

> " A committee to which has been referred for consideration on a specific matter is required to report back to the House the result of its deliberations and any recommendations agreed upon. Only one report is received by the House and the Committee is required to agree on a definite report either unanimously or by a majority vote. This rule is clearly set out in May (13th ed., pp. 483-4), as follows:-"

I do not think it is necessary for me to quote May, but I think it should be clearly understood that while the Committee may perform very valuable work, and while it is hoped the Committee may reach a unanimous report, nevertheless, the precedents and the rule do not permit the minority to submit a minority report in the same way as the majority report, if there should be a difference of opinion.

That leads me to point out that Committees of this kind in this country are much more restricted, in law, and in fact, than those in the United States. The use of Committees in the United States has been carried very far indeed; some people think much too far. I, myself, think there has been some abuse of the powers of the Committees in the United States. But, on the other hand, there have also been many valuable Committees in the United States, valuable not only because their terms of reference were very wide, but because they have been fortified with the facilities and armament with which to conduct an efficient investigation. A great deal of interest has been shown lately in the Kaufever Committee, to which reference has been made on several occasions by the hon. Prime Minister (Mr. Frost) in this House. I think, however, the public here would be astounded if they knew exactly what was required by that Committee to do its work in the way of staff and funds. We in Canada are much more cautious and do not provide the same facilities and armament for our Committees to conduct a thorough investigation.

With these reservations, namely, first to the form of the resolution, secondly, to the number of Committee members, thirdly, the powers of the Committee, fourthly, the language of this resolution, and also the reservation about the possibility of a minority Report and the facilities with which the Committee is equipped, Mr. Speaker, we greatly welcome this Resolution and I am sure that all hon. members of this group will be anxious to co-operate in the high endeavor which has been stated to

you today.

I do suggest it might be well not to dispose of the Resolution until tomorrow, rather than today, so we may have an opportunity for further consultation, with the hon. members of the House, and with the Clerk of the House.

MR. FARQUHAR OLIVER (Grey South): Mr. Speaker, I was not in the Chamber when the motion was moved by the hon. Attorney General (Mr. Porter), but I have had the opportunity of reading the language employed since I came into the House, and I want to say at once that the government, in my opinion, is to be congratulated upon their present frame of mind in regard to the temper and the scope of this proposed Committee.

I, for one, felt after the discussion last Wednesday night, that we were going --

MR. FROST: Everybody got mad then.

MR. OLIVER: Yes, and I felt that we were embarking upon a witch-hunting expedition, and I came into the House, quite frankly, ready to oppose as vigorously as I could any restrictions put on a Committee of this kind. In my judgment we have brought Parliamentary Committees into disrepute, and I think it would have lowered their influence, and would not have been any good for the Legislature, or for the Committee itself, or any Committee which emanates from the Legislature.

But, after listening to the remarks by the hon. Prime Minister (Mr. Frost) this afternoon, I, on behalf of my party, wish to say, that we will co-operate with the operation of this resolution, and we are happy that the

hon. Prime Minister (Mr. Frost) has widened the scope, and has reflected over the week-end upon the terms of reference which will be before the Committee.

MR. A. A. MacLEOD (Bellwoods): Mr. Speaker, I fully share the sentiments expressed by the hon. member for Grey South (Mr. Oliver), and, like him, I feel that the people of the province of Ontario will feel disposed to commend the government for taking the initiative.

In setting up this Committee. I have said many times that the hon. Prime Minister (Mr. Frost) is always at his best when he speaks as a statesman, rather than a politician. I think what he said this afternoon indicates just how much he was helped by a few days back in the old home town.

However, Mr. Speaker, I do feel that the point raised by the hon. Leader of the Opposition (Mr.Jolliffe) demands consideration. I, myself, have felt that the form in which the resolution was introduced by the hon. Attorney General (Mr. Porter) was a departure from the type of resolution which usually accompanies the setting up of such a Committee. I do not think it was deliberate. I do not think it is because the hon. Attorney General (Mr. Porter) has any desire to narrow down the functions of the Committee. He may have felt that he does not want to be a slave to form; he is a pioneer, and he may have felt he could create a new form.

He is like the hon. member for London (Mr. Calder); he does not wait for opportunities; he creates them.

SOME hon. MEMBERS: Oh, oh.

MR. MacLEOD: However, I think the hon. Attorney General (Mr. Porter) would do well to be counselled by the wise words of the hon. Leader of the Opposition (Mr. Jolliffe) and give the question of the form of the resolution a little further consideration.

I am very sorry that the hon. Attorney General (Mr. Porter) and the hon. Prime Minister (Mr. Frost) apparently desire to keep the Committee small in number. I think it should be representative of all groups in the House, even though the fourth group is a small group. I do not see any reason why the Committee should not consist of the usual eleven members. I think that would be a better size than the five proposed by the hon. Prime Minister (Mr. Frost).

However, Mr. Speaker, what I really want to say is that in my judgment the government is acting very wisely, and I am sure that the outcome of the deliberations of this Committee will help to set at rest the minds of the people of Ontario on this important question.

MR. PORTER: Mr. Speaker, with reference to the form of this resolution; the hon. member for Bellwoods (Mr. MacLeod) apparently would have us follow the precedent in one respect, but not in another. The precedent was five members.

MR. MacLEOD: That is only one of the precedents.

MR. PORTER: Then a precedent is to this particular subject matter which will be dealt with by the Committee. As far as I know, there has been only one recent precedent which could be followed. It is true that I perhaps have

shown a little more economy in words than my predecessor, Mr. Conant, did in his.

(TAKE "C" FOLLOWS)

He had many things set forth which were very useful, perhaps, but I did not think that it would be necessary to put it quite in that way, and I think that the words used in this resolution express very completely what the government had in mind, and I may say that the Hon. Leader of the Opposition (Mr. Jolliffe) mentioned that there is nothing in this motion, in the words of the motion, which I used which referred to the power to call witnesses and have papers produced and that sort of thing. Generally that is employed in these motions, and I believe the Clerk of the House should have ordered that, in any event, but if there is any question about that I am prepared to have that put into the words of the motion. I do not want any---

MR. JOLLIFFE: The only reason I was somewhat concerned about that was that the Committee will, presumably, meet while the House is not in Session.

MR. PORTER: Yes.

MR. JOLLIFFE: I do not want any question in anybody's mind about any of these matters. If it would in any way strengthen it in the mind of any one of the hon. members to have them included and incorporated, and I believe I understood that they should be, in any event---

MR. PORTER: I am very glad to have the hon. Leader of the Opposition (Mr. Jolliffe) come to that point. As to the scope of the work of this Committee, the hon. Leader of the Opposition (Mr. Jolliffe) mentioned that this would not go so far as to deal with the sort of cases which come up under some of the Provincial Statutes. That is quite true. The government did not have that aspect of the activities of the courts particularly in

mind. What we were concerned with in this motion was a criminal, just in the ordinary sense, a prosecution of an offender under the Criminal Code. If the hon. member says that this Committee's work should be broadened to cover highway traffic prosecutions and the vast number of prosecutions which come forward in the courts under the Provincial Statutes, I am sure the government has not any reason for disagreeing with that. We are quite prepared to broaden the scope of this Committee's work if the hon. Leader of the Opposition (Mr. Jolliffe) wishes us to do so, because we have no desire to limit it; but I must say that it was our intention that this Committee should deal with criminal justice in the ordinary sense of the word and we did not contemplate the sort of cases the hon. member has mentioned. As I have said, if the hon. Leader of the Opposition (Mr. Jolliffe) thinks it would be useful to broaden the scope of the inquiry, I should have no hesitation in so doing.

MR. J. B. SALSBERG: (St.Andrew): Would the hon. Attorney-General permit a question? Do the present terms of reference exclude the investigation of the enforcements of the liquor laws of the province?

MR. PORTER: They are not criminal laws. I am prepared, as I say, if the hon. Leader of the Opposition (Mr. Jolliffe) thinks that the scope of this inquiry should be broadened so that the prosecutions under Provincial Statutes might be considered, I have no objection to that at all.

MR. SALSBERG: But, as at present, that would be excluded from the competence of the Committee?

MR. PORTER: It would be excluded. What we were dealing with was the criminal law. That has been the subject of discussions for some time. I have no reason for denying, or I have no reason for limiting that, if the hon. members of the Opposition would like me to broaden it out to that extent.

MR. SALSBERG: Does the hon. Attorney-General (Mr. Porter) feel that the terms of reference should be broadened to include the ability of the Committee to investigate the enforcement of the liquor laws, if that Committee should find it necessary?

MR. PORTER: I say I have no objections, at all; but I say, so far as prosecutions may be made and the courts are engaged in dealing with matters involving no Provincial Statutes, I have no hesitation in saying we are prepared to open this Committee up if the Opposition thinks it would be an advance. Apparently I may take it the hon. Leader of the Opposition (Mr. Jolliffe) thinks it should be broadened to that extent. I would be very ahppy to amend the motion to that effect.

As to the number of members of this Committee, I deliberately did not include that in the motion because I thought, that, in a matter of this kind, as usually occurs, there would be conference between the hon. Prime Minister (Mr. Frost) and the hon. Leader of the Opposition as to how this Committee would be constituted. We were not going to be dogmatic about numbers, or anything of that kind. We thought that might be left for conference rather than have it included in the wording of this motion.

That is the reason it was not; but, the hon. Prime Minister (Mr. Frost) has pointed out there is a greater advantage in having a comparatively small committee for work of this kind. It has worked very satisfactorily in the past. There is no particular reason in having an unwieldy committee. I do not know whether I am speaking out of boudns, but I think that perhaps hon. members of the House who are lawyers might be very suitable members for this Committee, because they are accustomed to dealing with --

MR. MacLEOD: We would have to have somebody there to watch them.

MR. KENNEDY: I agree with you for once.

MR. PORTER: At any rate, I am not suggesting that that be done.

MR. SALSBERG: Otherwise we will have to televise you.

MR. PORTER: So, that is the reason that was done. I am prepared to accept the suggestion of the hon. Leader of the Opposition (Mr. Jolliffe) that this matter stand over until to-morrow, and in the meantime, a conference can take place. Perhaps the personnel of this Committee might be settled, and the matter can proceed in the morning.

I would move the adjournment of this debate.

MR. JOLLIFFE: I think what the hon. Attorney-General (Mr. Porter) has just said is very fair and reasonable. I never hesitate to criticize the hon. Attorney-General (Mr. Porter) when I think criticism is due, so I may as well be quite frank and say here and now

that the statement the hon. Attorney-General (Mr. Porter) has just made is, I think, a model of its kind.

SOME hon. MEMBERS: Hear, hear.

MR. KENNEDY: You are not sick?

MR. JOLLIFFE: I would like to clarify my reference to criminal justice. Again, this is a matter for consultation; but, so that there will be no misunderstanding about the matter, I am concerned about the practical problems which might arise in an investigation of this sort. The hon. Prime Minister (Mr. Frost) referred to the problem of gambling and the prospect that gentlemen who were now in business in a foreign country might attempt to extend their branches into this province. If you are studying a problem of this kind, it seems to me that you are almost certain to run into matters which are in part unlawful under the Criminal Code and in part unlawful under the Provincial Statutes.

Motion agreed to.

MR. SPEAKER: Motion.

Introduction of Bills.

THE NIAGARA PARKS ACT

HON. C. DALEY (Minister of Labour): Mr. Speaker, I move, seconded by Mr. Goodfellow, that leave to given to introduce a bill intituled "An Act to Amend the Niagara Parks Act," and that the same be now read a first time.

Motion agreed to; First Reading of the Bill.

MR. DALEY: Mr. Speaker, this Bill, which was envisaged in the Speech from the Throne, simply enlarges the Niagara Parks Commission to eleven, and enables the various communities -- the County of Lincoln, the County of Welland, and the City of Niagara Falls -- to elect and appoint from their own councils, a representative on the Parks Commission annually, who, in turn, will be appointed by the Lieutenant-Governor in Council.

MR. W. L. HOUCK (Niagara Falls): May I ask the hon. Minister of Labour (Mr. Daley), Mr. Speaker, if these three added commissioners will have the same powers as the other commissioners?

MR. DALEY: The same powers.

MR. SPEAKER: Introduction of Bills.

THE REGISTRY ACT

HON. DANA PORTER: (Attorney-General): Mr. Speaker, I move, seconded by Mr. Frost, that leaves be given to introduce a Bill intituled, "An Act to Amend the Registry Act, ", and that the same be now read a first time.

Motion agreed to; First Reading of the Bill.

MR. PORTER: This Act is designed to do two things. In the first place, the system of recording instruments by means of photographing duplication has been introduced in the Registry Office for the County of York, and if possible, it may be introduced into some other Registry offices. The purpose of this new system is to save cost, and it results in a very great convenience

to all concerned. It is considered advisable, and, indeed, it is necessary that the Act should be amended to give legal effect to the use of photographic reproductions that result from this system. The second point in this amendment is that where a Registrar of deeds has derived from fees, emoluments and salary from office, after deducting the necessary disbursements and income, which is less than $3,200, in the present Act the figure is $1,800. We amended the Public Officers' Act to $3,200 for some other types of public officers. It is proposed that the Registrars of deeds should be put in the same position because where they do earn less than $3,200. it is very difficult to obtain people to-day to do that very responsible work; so that the minimum will be $3,200. instead of $1,800.

MR. SPEAKER: Introduction of Bills.

THE ALCOLHOLISM RESEARCH FOUNDATION ACT, 1949

HON. M. PHILLIPS (Minister of Health): Mr. Speaker, I beg to move, seconded by Mr. Perry, that leave be given to introduce a Bill intituled, "An Act to Amend the Alcoholism Research Foundation Act of 1949" and that the same be now read a first time.

Motion agreed to; First Reading of the Bill.

MR. PHILLIPS: Mr. Speaker, this amendment really involves two thints. It gives the Foundation wider powers for the treatment, research, education and rehabilitation of alcoholics; and, second, that hospitals established under this Act are specifically for this purpose, the treatment of alcoholics.

PUBLIC HEALTH ACT

HON. M. PHILLIPS (Minister of Health): Mr. Speaker, I beg to move, seconded by Mr. Foote, that leave be given to introduce a Bill intituled, "An Act to Amend the Public Health Act", and that the same be now read a first time.

Motion agreed to; First Reading of the Bill.

MR. PHILLIPS: Mr. Speaker, according to the Budget we provide $100,000 for maintenance of isolation hospitals, and in Ontario we have three isolation hospitals, along with several other public hospitals, which have several beds set aside for this specific purpose. What we intend to do is to set up regulations to give these hospitals maintenance grants, much the same as we are now paying towards the public hospitals.

BEDS OF NAVIGABLE WATERS ACT

HON. H. R. SCOTT (Minister of Lands and Forests): Mr. Speaker, I beg to move, seconded by Mr. Goodfellow, that leave be given to introduce an Act intituled "An Act to Amend the Beds of Navigable Waters Act", and that the same be now read a first time.

Motion agreed to; First Reading of the Bill.

MR. SCOTT: Mr. Speaker, this Act was first introduced in 1911. The head-note of it was at that time:

> "An Act for the Protection of Public Interests in the Bed of Navigable Waters".

An amendment to this Act was introduced in 1940. This

apparently was not discussed in the House, but it was put through the "Statute Law Amendment Act". The explanatory note on that amendment was:

> "The amendments made by this Section are necessary to make uniform the interpretation of patents, conveyances and deeds where the land conveyed borders on a body of navigable waters which forms one of the boundaries thereof."

Under this amendment the Department have found it practically impossible to properly interpret the boundaries of these properties which front on navigable waters and are withdrawihg the 1940 amendments, and slightly correcting the original 1911 Act so that it will be possible to properly implement the intent of the original Act.

MR. SPEAKER: Introduction of Bills.

Orders of the Day.

MISS A MACPHAIL (York East): Mr. Speaker, before the Orders of the Day I wish to correct what amounts to a misapprehension on the part of the public, with regard to the Mercer Institution. I have here a clipping which appeared in the Toronto Telegram of March 21, and in the Globe and Mail of March 21. It also appeared in the Toronto Star as of the same date, but I haven't it here. I could not find the Toronto Star, but I have the clipping from the Telegram of that date. It states that:

> "Agnes MacPhail, C.C.F. member, told the Minister that the Mercer was unique. Other Institutions, she admitted, were doing an

exceptionally good job, but the Mercer was 'different".

It was a place where inmates seemed to live a life of terror; it was a cold, stark institution, with little to recommend it.

She said that there was an apparent disinclination among inmates to talk, even to members of the Legislature. There was an evident feeling of fear pervading the place".

I was speaking in the past tense. It is a question of tenses. There now is a move on foot on the part of the Superintendent of the Mercer, Mrs. Jean Burroughes, working with the Department officials Director, Mr. Virgin, the Deputy Minister, Mr. Neelands, and the hon. Minister of Reform Institutions, (Mr. Foote), to make changes as best they can in regard to the Mercer. I feel in fairness, particularly to the Superintendent and to her staff, that this correction should be made. I am not speaking in the present tense, but in the past.

HON. T. L. KENNEDY (Minister of Agriculture): Mr. Speaker, last Thursday I represented the hon. Prime Minister (Mr. Frost) at the funeral of Karl Homuth. There were present three other hon. members of the House. I want to mention something which impressed me very much. While I was impressed very much with the funeral, the beautiful church and the very beautiful service, the respect shown by everybody there, and so on, what impressed me more than anything else was something that the pastor said about Karl Homuth, whom I had known for many years.

(TAKE "D" FOLLOWS)

He said that Karl Homuth represented in his Church one of the four men they had in the great conference at Philadelphia last year, and that he always went to Church, and was very happy with his family there. He pointed out the pew Mr. Homuth had sat in with his family for years.

And then he said; "For many years he was a teacher of the Bible Class, and I am suggesting to the members of that Bible Class who are here today, that they re-organize and call themselves the 'Karl Homuth Bible Class'".

Mr. Speaker, I liked that very much. In the Parliamentary guide we talk about ourselves ih many different ways, and concerning many different places we have been, and occupations we have held, municipally, on the School Boards, and what not, but I do not remember ever seeing anybody who has told about his activities in the Church.

I liked what I heard about Karl Homuth, and I wish I had known it years ago. I think if I have the opportunity again of saying anything for publication in the Parliamentary Guide, I will endeavor to say something in regard to what I have done for the Church. I doubt if any 90 men in any Assembly can be found who has done more for their Churches than the 90 hon. members we have here. I think that should be emphasized in the Parliamentary Guide.

MR. FROST: Mr. Speaker, I beg to table answers to questions 269, 267, 71, 243, 168, 215, 213, 181, 61 and 265.

MR. HARRY NIXON (Brant): You must have had a long week-end.

MR. FROST: I did work hard.

Mr. Speaker, I move that you do now leave the Chair and the House resolve itself into the Committee of the Whole.

Motion agreed to.

The House in Committee: Mr. Patrick in the Chair.

MR. LESLIE M. FROST (Prime Minister): Order No. 12.

THE LIQUOR LICENCE ACT

CLERK OF THE HOUSE: Twelfth Order: House again in Committee on Bill No. 99, "An Act to Amend The Liquor Licence Act", Mr. Welsh.

On Section 1.

MR. C. H. MILLARD (York West): Mr. Chairman, when this bill - or, I should say, the amendment to this Bill - was introduced, the Hon. the Premier spoke at some length on the matter of liquor control, liquor licensing and liquor revenue.

The Premier's concluding remarks on that occasion were:

> "Mr. Speaker, what I have said arises out of this bill where we have a series of amendments, all designed, I think, to strengthen our position to better the <u>control of this problem</u> and, while they are perhaps unconnected as might be expected in an amending bill of this sort, nevertheless they are all directed at phases of <u>this very difficult problem</u>."

At another point, the Premier said:

> "I am most anxious indeed to <u>discuss it</u> (that is, the whole liquor problem) in this House, in

all its phases," -

and again:-

"We are here searching for ways and means to better conditions, and we are very sincere about that, and very anxious to do it ..... I have said on many occasions and to many people that our door is always open to people who can tell us of ways and means to improve this very difficult problem."

Mr. Speaker, I am sure most honorable members in this Assembly, with the Prime Minister, do recognize the liquor business as one of, if not the most, difficult problem with which the government is called upon to cope. I am equally sure that many hon. members must seriously question the several amendments to the Act which are now before us in Committee, as to whether or not they offer any solution to the problem, or indeed if they offer any real improvement over the present operation.

Since the Premier made a personal reference, amy I say, that I have consistently held that the circumstances with which we are confronted and the goals toward which we are striving should largely determine the policies to be adopted. I suggest that, viewed from this approach, the amendments now before us are, to say the least, hopelessly inadequate, even when measured by the Premier's own, and recently approved, measuring rod.

The Premier stated - and it was my impression that he spoke quite emphatically -

"Our objective is for decency and moderation, the elimination of drunkenness, help for the

unfortunate alcoholic, the protection of youth, and above everything else, good, honest law enforcement".

Mr. Speaker, though it is somewhat separated in the remarks of the Premier, I assume there will be no objection if I add to these objectives, "that licenses should not be issued on the grounds of favouritism or political considerations but they should be placed in the hands of a semi-judicial board which would place first the matter of public need and necessity."

Also, the Premier seems to include two more objectives: 1. The enlargement of the principle of local option; and 2, Increased local autonomy.

At one point the Premier said:

> "This Bill makes some important amendments to the Liquor Control Act, particularly enlarging the principle of local option".

and, at another point:

> "Since 1949 in my discussion with the Liquor Control Board and the Liquor License Board I have emphasized the feature of local autonomy which I believe is one of the keys to successful enforcement".

Mr. Speaker, there is another important point in the Premier's speech on this subject to which he seemed to attach considerable significance. Personally, I hesitate to refer to this point, first, because it is, I think, a somewhat negative approach and, second, because I personally have never before heard the suggestion of a government toll-gate in connection with liquor control and licensing in Ontario.

Hon. members will recall that the Premier said:

> "I want to say, Mr. Speaker, without any reservation at all, that this government is no toll-gate in connection with the liquor business. I can say that without any fear of contradiction. I know it is the case. There are no toll gates operated by this government, there never has been and there are none now. There are no assessments made from licenses; that is a thing which has not obtained with this government. It is true that licenses may have been rated through error of judgment by the Board, but they have been granted by the Board and have not been granted on the ground of favouritism or political consideration".

MR. FROST: That is right.

MR. MILLARD: Mr. Speaker, I assume that the Prime Minister wanted it to be understood that no licenses are now issued or cancelled on the basis of political or financial considerations and that the government wishes to devise a system by which even the suspicion of improper transactions will be kept to the lowest possible minimum.

Let me say again that, if these are the objectives and general policies of the government, then the amendments introduced by the Hon. Provincial Secretary are far from adequate.

In order that we may consider each amendment on its merits and in relation to the objectives outlined in the Prime Minister's speech, let me assemble the objectives in one list:

1. Decency and moderation.
2. The elimination of drunkenness.
3. Help for the unfortunate alcoholic
4. The protection of youth.
5. Good, honest law enforcement.
6. Licenses issued on the basis of public need and necessity.
7. The enlargement of the principle of bcal option.
8. Increased local autonomy.
9. Public hearings of license applications.
10. Safeguards against suspicion of a government "tollgate" system.
11. A provincial jurisdiction only in the field of administration, taxation and revenue.

Mr. Speaker, the amendment contained in section 2 of the Bill is, in my opinion, not only in conflict with these objectives, wut with other section of the Bill.

First, an application made under this section would not be subject to "public hearing". The Prime Minister in his explanation frankly admits it would succeed or fail at the "arbitrary" discretion of the Board.

Second, the License Board in the consideration of such an application could not know whether or not "public need and necessity" existed.

Third, the granting of permission to proceed with the application would, to some extent at least, place the stamp of Board approval on the application before the public hearing.

Fourth, secret sessions of the Board and the granting of permission to some while rejecting others

would, it seems to me, serve to increase suspicions that some system of political tollgate did in fact exist, rather than allay them.

Mr. Chairman, I have suggested that the adloption of this section would be contrary to other sections in this same bill, and I should like to direct the attention of the Committee to sections 6 and 7.

In these cases, involving the question of "local option" in regard to new licenses, the Prime Minister said:

> "Under the present law, no vote can be taken unless a license is issued. This change <u>enables</u> a vote to be taken prior to the issuance of any licenses."

And again:

> "This amendment enables the people to vote before the license is [illegible]ed, which I think is reasonable and sensible."

MR. FROST: Mr. Chairman, may I suggest to my hon. friend (Mr. Millard) that these points could be discussed when the sections come up. The matter is entirely independent, why not let us go ahead and discuss the sections, and raise objections, if any, on the particular sections as they come up. I do not think there is much use in stating all this, and re-stating it when the sections come up.

MR. MILLARD: I am taking the hon. Prime Minister's (Mr. Frost) assurance that we can deal with these particularly?

MR. FROST: We will take them when they come up. You do not want to re[illegible] all these statements.

MR. MILLARD: The hon. Prime Minister (Mr.Frost) made a point in his remarks, which were very lengthy, that these things are all connected. You cannot take them out of their context --

MR. FROST: I say to the hon. member (Mr.Millard) that I discussed the general principles of this Bill on second reading, and the hon. member (Mr. Millard) did likewise.

MR. MILLARD: No, I asked your permission --

MR. FROST: In that case, go ahead. There is not much to be gained by repeating all these, when the sections come up.

MR. MILLARD: I can assure the hon. Prime Minister (Mr. Frost) that I will not repeat these arguments when it comes to the section.

MR. FROST: All right then, go ahead.

MR. MILLARD: This amendment enables the people to vote before the license is issued, which I think is reasonable.

In section three of the bill now before the Committee, it is provided that after leave has been granted under section thirty-six, notice of the application shall be published, and I would like to point out that there shall be two notices at least five days apart, and the second notice shall appear not less than fifteen days before the hearing by the Board.

MR. FROST: The temperance forces asked me for that. They came up to see me and asked for it, and we granted it to them. If there is any change, it is that they changed their mind, not us.

Most of the sections in this Bill and sections which the Reverend Mr. Johnston and others specifically asked us for. If they change their minds, that of course, is up to them. I see a letter here from the Reverend Mr. Spence, a good friend of mine, and it is not our fault if they came and asked for these things, and then changed their minds. We gave them what they asked for. That applies to all except possibly one or two items, where we gave them more than they asked for.

MR. MILLARD: Under section 3 of the Bill now before the Committee, it is provided that "after leave has been obtained under section 36, notice of the application shall be published". There shall be two notices at least 5 days apart and the second notice shall appear "not less than fifteen clear days before the meeting of the B oard at which the application is to be heard."

Mr. Chairman, I submit that under favourable circumstances it would be entirely possible to have an application heard by the Board, permission to proceed granted by the Board, the necessary public notice given, a public meeting before the Board held, and a license issued by the Board - all within the space of 25 days, while in section 9 of the Bill it is provided that:

> (1) At least five weeks before the taking of a vote upon any question under section 68A, 69 lr 70, the electors interested in obtaining an affirmative answer and a negative answer respectively ...may notify", etc.

In other words, Mr. Chairman, these amendments do not mesh; they are not practicable and, in my opinion,

they are wrong in principle.

In Bill 69, which was withdrawn on the suggestion of the Prime Minister, it was provided that no new license could be issued or no government store authorized until a vote had been taken in the manner provided in section 69 of the Act.

I contend that the adoption of such a provision would simplify and democratize the whole business of establishing liquor outlets in Ontario. It would eliminate the questionable procedure of going to a Board in secret to secure leave to appear before the same Board in public. It would provide a very large measure of local autonomy. It would put the onus on the license to show "public need and necessity". It would provide, I am sure, in the words of the Prime Minister, "one of the keys to successful enforcement".

(TAKE "E" FOLLOWS)

On the one hand, I am trying to say that the Hon. Prime Minister (Mr. Frost) has indicated that these amendments will permit the taking of a vote before a license is issued. That is the principle involved. Yet, the procedure provided now with a secret hearing before the screening of the application, then the necessary publication, the necessary fifteen days --

MR. FROST: The two Sections are entirely separate. Here is one case, a case in my own riding -- The Hon. Member for Gray South (Mr. Oliver) has a case in his riding -- I forget what it is, but the Township of Markdale -- but for instance the Township of Verulum is, technically, a wet township. There has never been a vote in it. I think, as a matter of fact, knowing those people there, there has never been a licence there since the lumbering days -- the township would be overwhelmingly dry, although nobody knows nowadays what anybody else is. I think it is overwhelmingly dry. Not long ago there was an application for a licence in that section. The Municipal Council came to me and said, "We would like to have a vote here before any licence is granted." We looked up the Act and we found that there was no provision for a vote unless a licence existed. That is a silly piece of business. That is what this section does. Take the Township of Verulum, as a case in point. There is no licence there. They may ask now for a vote in that township and they may have a vote on any one or all of the questions which are involved in the Liquor Licence Act

and they could go dry in whole or in part, whatever they liked. If a person comes along and applies for a licence, he must apply under the procedures set down in the Act. So much notice would be given and that sort of thing. I would say that if there is a township where there may be a licence applied for and the Municipal Council can say, "Once we vote and find out whether our people want it, they can have a vote and clean the thing up," I think it is a very good thing.

These amendments are all amendments which were suggested practically in their present terms by the temperance forces. I was surprised to learn that some people had suggested that they go farther than these amendments. I think that all of these amendments are reasonably rational amendments which will give ways and means to the people of expressing their opinions in a proper, logical way, without disturbing the present status quo. I had the opportunity of making a certain explanation to my old and good friend, the Rev. Mr. Spence, for whom I have the highest regard, who is an old friend of my family. I listen with respect to everything he says. Mr. Spence came to me and he said, "Mr. Frost, why not make it so that all of this Township, which includes all of my Township of Verulum, no licence can be granted until a two-thirds vote is passed?" That simply means that by a stroke of the pen we turn all Ontario where there are no licences at the present time into local option areas. That is an indication of democracy.

MR. TEMPLE: But are you not turning all of them wet by a stroke of the pen?

MR. FROST: No. I say, maintain the status quo, leave it to the vote of the people. That is the proper method. For this Legislature to turn all of Ontario where there are no licences automatically by a stroke of the pen to local option areas would be absolutely unjustified. That is what the Rev. Mr. Spence suggested, I say. He is a very zealous gentleman, for whom I have the highest respect. I would say that would be highly unfair and would not be in accordance with what the people of this province would want. How about the townships in the province where the settlement is overwhelmingly wet? They would say that was an injustice and I could not agree with it at all.

MR. MILLARD: I am not able to understand the Hon. Prime Minister's (Mr. Frost) reference to Mr. Johnston of the temperance forces, because as I believe he has received a memorandum similar to the one I received --

MR. FROST: Yes; I received that memorandum. I read it with amazement, to be frank with you. With respect to Mr. Johnston and his people, I am most happy to see them at any time and to discuss the problems. This Act was drafted directly in accordance with their representations. The fact is, that I thought there were many representations which they made to me which were positively sound. One of them was to enable a dry area to have a vote. The other was to prevent the status of a community being changed by reason of amalgamation. Another one was to extend the period of time for fifteen days. All of those

things they asked us for, and we made provision for them. This Act carries out that for which we were asked. I admit there are some provisions here which give the Board further powers for which they do not ask, but we really think it strengthens the Act.

MR. WELSH: I would like to say in addition to what the Hon. Prime Minister (Mr. Frost) has said, that I had many conferences with Mr. Johnson, and I found he is a very, very fine chap. The suggestion which is under discussion now came from him, that that amendment be brought in to extend the time to fifteen days.

MR. MILLARD: All I am saying to the Hon. Prime Minister (Mr. Frost) and to the Hon. Provincial Secretary (Mr. Welsh) is that I have here a memorandum got out by the executive board of the temperance federation, which is the governing body for which Mr. Johnson presumably was speaking. They suggested that the present amendments are not in line with their request to the Government. I was amazed to hear the Hon. Prime Minister (Mr. Frost) say they were drafted in accordance with their wishes, because their wishes are indicated by this memorandum.

MR. FROST: The fact is that this Bill was introduced practically 100% because of the representations made to us. I really think, myself, that perhaps I could call up the temperance people and say, "There, we have done exactly what you wanted." I was surprised to receive that memorandum afterwards. All I can say is that I find myself not only mystified by it, but I could not acquiesce to such a proposal as they make here. They certainly

never made those representations before. It happened that by chance this Bill was held over. It might well have been passed weeks ago, but it stood on the Order Paper for one reason or another, and at the last moment we receive these representations, which I do not think are sound, really do not.

MR. MILLARD: I suppose it is an honest difference of opinion as to whether a thing is sound or is not sound. The Bill I introduced in this Legislature, and which, at the request of the Hon. Prime Minister (Mr. Frost) was withdrawn and said at the time that I thought it had served its purpose, that it opened up the question, and we had a long statement of policy by the Hon. Prime Minister (Mr. Frost) and we had a series of amendments. I say "a series" advisedly, because that is the way they came in. We had a very simple amendment which was supposed to be the counterpart of the bill which I introduced.

MR. FROST: No, no.

MR. MILLARD: I never said that at all.

MR. FROST: Your Bill by Statute would have made certain areas of Ontario local option areas which were not local option by the votes of the people. What we do by this Bill is that we preserve the status quo, we remain the same, but we give them power to vote, and in case of amalgamation we prevent any change of status without a vote of the people. I think this is a fair, democratic bill, and I do not think there can be any objection to it.

MR. MILLARD: There came before this Legislature a very simple amendment which was supposed to be the counterpart of this bill. Then there was attached to that the question of amalgamation, the question of screening, the question of distribution of licences, there were three or four additional amendments added after the original bill was introduced, and after a prolonged statement by the Hon. Prime Minister (Mr. Frost). While this Bill was before this House there were amendments added for several days. It was something like the Bill we introduced. Apparently the thought was long considered, but it was suddenly withdrawn and a new bill introduced. I say these amendments which have been introduced do not conform with the objective laid down by the Hon. Prime Minister. They are not intended to go towards that goal. They will have to be seriously amended if they are going to reach that objective.

I want to say very kindly but very firmly that it is my candid opinion if the government is going to refuse to amend its objectives when they are showing the high-sounding objectives put out by the Hon. Prime Minister (Mr. Frost) as being nothing but subterfuge because the amendments are simply not in line with the objectives stated. The Bill that I introduced was, frankly, to do the very thing the Hon. Prime Minister (Mr. Frost) now says, that the status quo should be maintained unless and until there is a vote of the people indicating their desires. That is all.

MR. FROST: What you do by your Bill is that you propose that if a township had never had a vote

and was in theory wet, that before a licence would be granted they would have to carry it by a two-third vote. This Bill maintains the status quo. The local option was never carried, and according to the law the area was wet. They could have a vote before any licence is granted. The Hon. member for York West (Mr. Millard) turns all the areas in Ontario which are wet into local option areas.

MR. TEMPLE: Because they are dry.

MR. FROST: They are wet areas.

MR. TEMPLE: They are dry areas.

MR. MILLARD: I do not like the argument about wet and dry. The fact is that there are non-licenced areas and that there are licenced areas. All I said was --

MR. FROST: We are opposed to taking an area which is not licenced and saying by law that it is a local option area. We are opposed to that and we might as well meet it head on. I disagree with the Rev. Mr. Spence and I disagree with the people who argue that. I think that it is undemocratic. It is not suited, and it is not fair to the people. It should be turned into a local option area by the votes of the people. That is the way to do it.

SOME HON. MEMBERS: Hear, hear.

MR. MILLARD: The Hon. Prime Minister (Mr. Frost); with great respect, is arguing out of both sides of his mouth at the same time, because what we are doing in my bill and what the present amendments before the House

fails to provide for is that we will have a vote of the people before there is a licence installed. We say the principle of local option should prevail, that before new licences are issued in these areas, the people shall have a chance to vote. We are not going so far as to say that there should be a two-thirds vote, but there should be an election expressing the wishes of the people as to whether there is public need and necessity for a licence in a particular area. All we are asking for is the very thing the Hon. Prime Minister (Mr. Frost) says he stands for; but that is not what the Hon. Prime Minister (Mr. Frost) has put in these amendments. The Hon. Prime Minister (Mr. Frost) has put something else in, altogether, first of all, on the screening, secondly on the question of taking a vote, and enables the municipality to take a vote before the licence is issued, but it does not say they shall take a vote before the licence is issued; therefore, the enabling legislation is not satisfactory. I am pleased that the Hon. Prime Minister has come to this position that he agrees with the principle of local option. I would like to know where the Hon. Prime Minister (Mr. Frost) was in 1946. He certainly did not agree with the principle of local option at that time, because he was a member of the government which introduced a bill which disfranchised about half the population of this province and said, "You shall have a licence and you cannot do a thing about it for three years afterwards."

MR. FROST: Whether that decision is right or

wrong, the fact is that none of the five municipalities involved have ever had a vote. They can have one. Whether that was right or wrong, the fact is they have a right to vote. They have had a right to vote for a number of years. I would like to see them have a vote. If they voted it out it would not hurt my feelings. It would save me a lot of trouble.

MR. MILLARD: The point I was trying to make was with respect to this question, that if you want to deal on the basis of the enlargement of the principle of local option as the Hon. Prime Minister (Mr. Frost) has said, and if you want to deal on the question of no more licences until the public need and necessity if shown therefor, and if you want to deal on the basis that you will get better law enforcement where you have a local option opinion expressed, then the government should have introduced the bill which I introduced, or the same principle, so that there would be no change in the status quo, whether it be wet or dry, until the vote is taken. We are not very prepared to be very liberal in that regard -- I mean, liberal in the best sense of the word and not in the party sense -- that we are quite prepared to be liberal, and simply say restore this principle of local option to all the interested persons and retain the status quo until the people have had a chance to say whether or not they want additional licences. That would relieve the government of a lot of responsibility.

MR. FROST: How would your bill work in my own township? You would have to get a 50% vote.

MR. MILLARD: I am not saying that it should be 60%. I am saying that if a person wants to go into a business -- I think you used the term "some enterprising fellow" -- if some enterprising person wishes to go into business in that particular township, it seems to me he ought to be able to show the Board -- before a licence is granted, that there is a public necessity.

MR. FROST: On the other hand, there has to be a public hearing. According to this Act he has to go to the Board. If the Board does not think there is a prima facie case shown, then he does not even get a hearing. The hon. member for Huron-West (Mr. Millard) disagrees with that, but I think it is good business. If the Board thinks he has a semblance of a prima facie case, it is advertised, you hear what all the people in the community say, and then the licence is granted or rejected, or granted in part. In the meantime we give to the people the right to have a vote before the licence is issued.

(Take F follows)

Help for the unfortunate alcoholics, protection of youth, good, honest, law enforcement, and the enlargement of the principle of local option; if those are the objectives, then there should be no objection to the idea that before any of the procedure before the Board goes through, we should find out whether the people want additional licences in their own local areas.

MR. FROST: How would it work in your riding? They never had a vote. Where would you place the onus by your Bill?

MR. MILLARD: On the person who is seeking the licence, to find out the wishes of the people involved in that area.

MR. FROST: Would there have to be a sixty-forty vote?

MR. MILLARD: No, a majority vote.

MR. FROST: Is that what your Bill says?

MR. MALONE: The amendment I am proposing here says that once such a vote is held, a majority of the voters --

MR. FROST: It was not in your original Bill.

MR. MILLARD: I have the original Bill here. It says:

> "(2) Except as provided by this Act and the regulations, no government store for the sale of liquor and no store for the sale of beer only shall be established and no Ontario wine store shall be authorized in any municipality where no such store is at the time in operation until a vote has been taken in the manner provided in section 69."

(Page F-2 follows)

MR. FROST: What the hon. member (Mr. Millard) is proposing is that he automatically makes all the places local option areas. I disagree with that entirely.

MR. MILLARD: I am proposing, if the hon. Prime Minister (Mr. Frost) is not prepared to suggest something that he considers drastic, he should put it on the majority vote basis, and have the vote before any licences are issued in these non-licenced areas.

If the objectives are correct, if you want to cut down drunkenness and have moderation, if you want to protect the youth, and want to do all these things which the government has emphasized, then I suggest you will adopt the amendment which I will move at the proper time, dealing with that section.

Section 1 agreed to.

MR. MILLARD: Mr. Chairman, I would like to move an amendment that sub-section 2 be deleted.

MR. FROST: Mr. Chairman, all I can say is that would be entirely unsatisfactory and unacceptable. Let me point out the reason. At the present time, all applications for licences are advertised; there are many of these applications which have been dealt with before, and yet they come in and clutter up the records by applying again. In the city of Toronto, for instance, the Board may have ruled against licences in a certain area -- say, Danforth Avenue; what in the world is the use of creating a terrible row in the city of Toronto every time anybody wants a licence on Danforth Avenue? The Board may as well tell the applicant there is no use in his applying; that he might as well go home and save his money, and the cost of advertising, by not granting leave to apply for the licence to start with.

This provision of leave to make applications is by no means a new one in our courts. Already in our courts of law we have leave to appeal. Let me give an example.

In the summer of 1949, there were, I suppose, three or four hundred applications in the city of Toronto. Of these three or four hundred applications there were only possibly fifty which had even an outside chance to secure licences. The rest of them had been dealt with before, and there was no chance of them being granted. Yet they cluttered up the newspapers in the city; everybody became excited; and everyone thought it was going to be a condition of having a cocktail bar on every corner in the city of Toronto. They had no chance, and yet they went ahead and made the applications, and it cost them hundreds of dollars; they had to file plans, advertise, and so forth. At that time, I think that all but about sixteen of those applications were thrown out; in other words, about three hundred licences went into the discard. The Board told me that in this connection many of the applicants had been told they should not apply as there was no chance of the applications being granted; yet they insisted with filling up the newspapers with advertisements of licences, which the Board had turned down before.

Mr. Chairman, we might as well meet the issue fairly, and I think the proper way to do it is if an applicant wants to make an application for licence to the Board and if the Board is not going to hear him, they might as well turn him down at the outset. I think that is the fair and proper way of doing it. In that way you cut down the number of applications to a minimum.

I will not stand for any more of these circuses they had in this city, with a great list of applications, as long as your arm, without any possibility of their being granted, and which resulted in simply upsetting the public. I think we might as well get down to a common-sense view of this, and that is the purpose for which this was put in the Bill, and I think it is a reasonably proper provision and one which will bring order out of the chaos we have had in this city.

Once the list is cut down to those who the Board thinks we should consider, then I think the Board should hold hearings more frequently and give a more thorough consideration to what the people of these localities say. I do not believe in pushing licences in places where there may be strong objection on the part of the people. It is a matter of getting away from the hundreds of applications which never can be granted and which only deprive the people of a decent, proper hearing in cases which will be seriously considered. The the Board can hold more frequent hearings and can give people a full opportunity to state their cases. That seems to me to be the rational way of approaching this problem.

MR. TEMPLE: Mr. Chairman, rising to speak in support of the amendment, to delete Clause 2 of Section 2, I would like to point out that the secret hearings by the Board on applications is, in effect, involving the Board in indecision when it has only heard one side of the case, which happens to be the side of the applicant.

MR. FROST: Oh no, no.

MR. TEMPLE: Let me finish what I have to say. If you are going to throw them out, you might as well do

it publicly.

Then they will be thrown out publicly, rather than have the Board behind the scene decide who is going to be thrown out and who is not.

I can visualize the time when we will not have a virtuous government such as this one claims to be, sitting in Queen's Park, and under different conditions, we will have a perfect toll gate set up for that government to operate under. I think the hon. Provincial Secretary (Mr. Welsh) not very many weeks ago said that when this government took office, levies were being made by previous administration upon local outlets, and he claimed it has taken this government eight years to clean that mess up.

Mr. Chairman, if we pass this particular clause, we are laying the foundation for the application of a toll gate with our liquor outlets, which will lead this province into a much worse condition than the very bad conditions which we have at the present time. In the province of Quebec they brazenly and openly levy tolls on local outlets for political campaign funds, that is public knowledge, and if we pass this particular section, we are laying the foundation for a similar proceeding on the part of any political party which happens to be in power in the province.

I will vote for the amendment moved by the hon. member for York West, (Mr. Millard), and I hope every hon. member of the House will do the same. This, in my opinion, is vicious legislation.

MR. FROST: Let me say that as usual the hon. member (Mr. Temple) is completely off the trolley.

MR. TEMPLE: The only person who is off his trolley is the hon. Prime Minister (Mr. Frost). As a matter of fact, he has never been on it.

MR. FROST: Let me point this out. My hon. friend (Mr. Temple) presupposes that to get at what he is claiming, he must first assume that the Liquor Licence Board is crooked, and then he must assume that the Judge and those in the Liquor Licence Board are going to grant licences, and will get paid so much for it. I do not believe that Judge Robb -- and I do not believe that temperance in this province think that Judge Robb would do such a thing. He is a decent, honourable administrator. This does not make any sense at all.

MR. TEMPLE: Judge Robb may not be there all the time.

MR. FROST: My hon. friend (Mr. Temple) is placing a very low rating on men like Judge Robb.

I want to point out that if a Liquor Licence Board is going to be so crooked as to screen through applications, and make them pay a toll gate -- why, if that ever happened in this province -- and it will never happen under this administration -- then if any Board was as crooked as that, they would not grant any licence if there was not $500. placed on the barrel head.

I may say to the hon. member (Mr. Temple) that he is not only off the trolley, but his amendment is one which would lead to difficulty and chaos, and we are endeavoring to straighten this thing out.

MR. TEMPLE: We have chaos now, and we will clean it up.

The amendment negatived.

Section 2 agreed to.

On Section 3.

MR. MILLARD: Mr. Chairman, as I tried to point out when I was speaking, the section is at variance with other sections of the Liquor Licence Act, and, therefore, I would like to move that Section 3 of the Bill be amended by striking out the word "fifteen" in the fifth line and to substituting therefor "thirty". If they are issuing no licences now, what is the rush about the situation? If the municipalities will have an opportunity to vote before a licence is issued, they will at least need thirty days' warning, and therefore, I am moving that thirty days be substituted for "fifteen".

MR. FROST: I can only say that in discussing this with the representatives of the temperance forces, they themselves asked for fifteen days and that is what we did. I do not think there will be anything added by making it thirty days. They asked for fifteen days. I really did expect a pat on the back for that one, but apparently it will not be forthcoming.

(TAKE "G" FOLLOWS)

MR. MILLARD: I might say, in reply to the Hon. Prime Minister (Mr. Frost) , the memorandum which I received says, "We would urge upon the government---"

MR. FROST: What date?

MR. MILLARD: I am sorry, there is no date on it. It was received by the Hon. Prime Minister (Mr. Frost) about two weeks ago.

MR. FROST: No, I received it under date of March 12.

MR. MILLARD: That is pretty close to two weeks.

MR. FROST: This Bill has been on the Order Paper since February 21.

MR. MILLARD: If the Hon. Prime Minister (Mr. Frost) will permit me, I am saying what the Federation has now said that with all possible emphasis we would urge upon the Government that in the interests of common justice, Section 3, of the Bill be amended by striking out the word "fifteen" in the 5th line and inserting in lieu thereof the word "thirty". That is the amendment I move.

Amendment negatived.

On Section 4.

MR. MILLARD: Mr. Chairman, on Section 4, we feel it is altogether wrong in principle that, under the legislation we pass in this Session a policeman cannot be discharged from now on, or that any licence can be held up, without giving reasons. Certainly if favouritism can be shown and political spite taken against

people, this would be a first-class way of doing it. And so, I am going to move that Sections 4 and 5 of the Bill be deleted; in other words, the right to suspend licences and so on should not be granted to the Board and that they should give reasons if they are going to do this sort of thing, I think. If a man's licence is going to be suspended, he has a right to know why it is suspended. If he is conducting his business in a lawful way, there certainly should not be any political favouritism to be able to suspend one man's licence There should be reasons given or public hearings had.

MR. WELSH: I am sure the hon. member for York West (Mr. Millard) has said what he has said in all sincerity. He has entirely misunderstood these two sections which must be read together. Here is the situation. Our inspectors or the police go into a place and they find that that place is, subsequently, violating the law. As the Act reads now, no disciplinary action can be taken against them until they appear in court and are convicted. Then they appear before the Board and the Board deals with them. What we are asking for is the power to suspend that licence then and not have to wait for six or eight weeks, which has happened before. That power has been used, but it has been used illegally. What we are trying to do is to legalize the right to suspend a licence where we find something is wrong, and it has nothing to do with anything else whatsoever.

MR. JOLLIFFE: What is wrong with giving reasons?

MR. FROST: This matter was discussed with the licensees here some time ago. I will be frank in saying the licencees rather questioned this power. On the other hand, this power is a power which obtained under the old bill before the 1946 Act. Actually speaking, the hotelkeepers in this province are, in the main, a pretty decent lot. You have only a very small percentage who are outlaws, people who bring the whole licencing system into disrepute. Arbitrary as it may seem, one has to have power to deal with them. This provides for the cancellation of licences, or suspensions, in case of bad operational practices. I pointed this out to the Hotelkeepers Association. We are anxious to protect the man who is trying to do a decent job. We figure the Hotelkeepers Association have joined with our law enforcement people in providing the basis for making enforcement possible in Ontario; in other words, we have turned to the Hotelkeepers Association and we have said, "Look, gentlemen, police your own business, police your own industry and we will supply you with all of the support we can give you." I take this position, if this power turns out at the end of a year to be too broad, I have promised the Hotelkeepers Association and others to review this, if the judge or the Board is arbitrary in the exercise of his powers under this section. The Hon. Provincial Secretary (Mr. Welsh) has said, you can quite readily see that at the present time it does not add to the enforcement of the law to have some

man perhaps having conditions on his premises which are entirely unsatisfactory and to have to wait for amonth or two months in order to get sufficient evidence to clean that situation up. But remember, we are dealing here with a monopoly, just the same as it was argued that the milk distributors are a monopoly, these people are a monopoly and you have to have powers to enforce discipline in quite an arbitrary manner to deal with the situations you meet. I think that these sections will meet with the approval of the business, and if they are not satisfactory, I quite frankly have told the Hotelkeepers Association that we are quite prepared to review this at the end of a year, but in the meantime it will enforce discipline in this business. That is very definitely needed.

MR. JOLLIFFE: I do not very much care whether it meets with the approval of the business or not, or whether it meets with anybody's approval, but what I am concerned with is the principle of the matter. I think it is fairly necessary that the Board should have a great deal of power, and I am afraid to be practical about it, the Board must have a great deal of arbitrary power, if you want to put it that way. It seems to me the Board has to have the power to suspend licences and to do so for reasons which appear to the Board to be adequate reasons. That is not what is bothering me. What is bothering me is Section 5 of the Bill. That is the statement which adds another section to the act that "The Board may suspend any licence or permit issued under this Act and shall not be obliged to

give any reason or explanation for doing so." I am not quarrelling with the power to suspend the licence if they have made an inspection and the inspector's report satisfies them. I was saying, Mr. Chairman, that I am not quarrelling with the power of the Board to suspend a licence. If, on inspection, they think they should, then I think the Board must have that power; but thereiis an important principle involved here, about which I personally feel quite strongly. I am a believer, in a general way, in the British system of jurisprudence. I think it is extremely important that some people should not be deprived of all rights under the law, even though it be a temporary condition, without being given a reason. We have had our courts in existence for hundreds of years, and more recently we have had a great growth of administrative tribunals with quasi-judicial powers. One of the very valid complaints of those who do not like administrative tribunals is that they operate in a prejudicial, in an arbitrary sort of way, which reminds us of the Star Chamber and all the procedure associated with that institution. I am saying to the Hon. Prime Minister (Mr. Frost) in all seriousness and not from any special or particular point of view, that this principle is a very serious principle, and a very bad one. Whether the man involved is peddling peanuts, I do not care. The principle is not good. I do not wish to be misunderstood. I am not saying the Board should not have the power to suspend a licence and to do so without delay, but that the Board should be required to give reasons. We have other administrative

bodies which have got into the habit of handing down decisions without any reason. I think it is a thoroughly bad practice. There is too much of it. This particular Bill puts the stamp of approval on, as far as this Legislature is concerned. There has been too much of it already. I think if we believe in British fair play and if we believe in the principles of our jurisprudence which affect the rights of a common man, whether he is guilty or innocent, I think we should be very careful before we go as far as this.

MR. FROST: Supposing there is good reason to believe that he is selling to minors and there is a hearing before the court. By this provision, the Court or the Board could suspend that man's license. When the case is decided, it comes up before the Court for hearing in the ordinary course of the Court's procedure but, in the meantime, the Board has the power. I do not think that is going too far; that just meets the situation for the time being. Suppose a man is running a place which is disorderly and disgraceful and there is a case pending in the courts, or there is a hearing coming up in which this man's license is to be considered and his conduct is to be considered - this gives interim power to step in and suspend that license pending the hearing of it. I do not think that is too arbitrary.

MR. JOLLIFFE: I agree they should have the interim power to suspend the license but I say they should give reasons.

MR. WELSH: There is another point in this

matter which is, to my mind, quite important. They always have the reason given to them when they come before the Board for hearing. I am not trained in the law like the Hon. Prime Minister (Mr. Frost) or like the Hon. Leader of the Opposition (Mr. Jolliffe) but it seems to me it would be a very unsatisfactory state of affairs if the Board stepped in and suspended the license and we failed to give a reason why the license was suspended before the operator appears in court. He gets the reason when he comes up before the Board.

MR. FROST: Peace, order and good government.

MR. JOLLIFFE: The totalitarian doctrine --

MR. WELSH: That is a democratic doctrine.

MR. JOLLIFFE: What are we coming to in this House when we are told it is a democratic doctrine but nobody is charged --

MR. PORTER: The Hon. Leader of the Opposition (Mr. Jolliffe) is better when he is asleep.

MR. JOLLIFFE: If the Hon. Attorney-General (Mr. Porter) does not want to get into trouble, he should stay out of this.

If the Board suspends a man's license, it will be by reason of some offence, omission or commission prior to the time of the suspension. The Board has the power to suspend his license. He ceases to operate. There is no reason in the world that the Board should not disclose that his license is suspended and there will be later a hearing by reason of something which occurred before his license was suspended; and if he is going to be charged with something, or perhaps loses his business, then he is entitled to know

that with which he is charged. Really, I cannot believe that the Hon. Provincial Secretary (Mr. Welsh) is serious when he says that --

MR. WELSH: Might I just say one thing: that these charges are made by the Police. The Board does not lay the charge against the operator. When they have been dealt with by the court, then the Board comes into the picture and decides whether that man's license shall be suspended, cancelled or whether the charge will be dismissed.

MR. JOLLIFFE: Is the hon. Minister (Mr. Welsh), then, suggesting that the police will know the reason for the suspension by the Board?

MR. FROST: No; but supposing a man is charged with selling to minors and he is going to come up in court. There would be,in the ordinary course of events, an application before the Board to consider his suspension, or otherwise, of license. Supposing the Board's Inspector has been in there and they find that this man has certainly, in their opinion, been selling to minors, what they do is they suspend his license for the time being. They do not say, "You are suspended for selling to minors" but let the matter be decided in the course of the court's ordinary procedure. There is nothing to be gained by saying, "You are suspended for selling to minors". I think that this arrangement is one which puts in the hands of the Board the power to do what they are really attempting to do at the present time. Some of the people of this province are complaining with respect to

licensees who are running rotten places; that before anything can be done, when convictions have to be obtained in court, perhaps it runs along for a couple or three months before that which can be done is done. Now, you might as well be rough and tough in respect of this matter. This is a rough and tough business. I think the hotelkeepers recognize the fact that the Board must have arbitrary powers to step in. I am perfectly prepared to do this; if this does not work out, to reconsider this matter next year; and I am quite prepared if the Opposition finds, on investigation, this does not work, let us hear about it next year and we will consider it and, the fact is, we have already discussed that with the hotelkeepers themselves. They recognize that it is the 5% of the bad operators who are blotting the copybook right now. They are the fellows who are causing the trouble and who have to get out of this business.

MR. BAXTER (Prince Edward-Lennox): I am absolutely cool in respect to this matter. I am quite happy about the Bill. I think it has gone further than I had any reason to suspect the Government would go. I know in matters such as this we must move slowly and progress does come slowly, especially with a Conservative-minded Government. Nevertheless, we have progressed. With respect to some parts of the Bill, I am sorry that certain clauses have been included. But, nevertheless, by and far it meets with my approval and will no doubt clear up some of the suspicions we have had that there has not been proper supervision with respect to the sale of liquor in the province of Ontario.

I do say in regard to Section 5, I could hardly believe it when I saw that section in there because the people of Ontario are vitally interested in this matter; they are interested in what goes on and, with respect to these places which have licenses, I think they are interested in what the attitude of the Liquor Control Board and the Liquor License Board is in regard to what happens. I do feel in regard to Clause 5 that the people of Ontario are entitled to know, as well as the licensee himself, the reason why these premises are closed up or the license temporarily suspended.

(TAKE "H" FOLLOWS)

And if the government is as sincere as they say they are in this matter, they will not have any objection to making it known at the outset why a premises is closed up, and I am sure that in a great many cases their reasons for doing it and their action in doing it will win the approval of the people in this province.

I do feel that section 5 should be omitted.

SOME hon. MEMBERS: Hear, hear.

MR. WELSH: Mr. Chairman, I would like to say this, in concluding this matter: That there are cases which come before the Board where we feel we have to take disciplinary action and in which I believe there are many court cases involved. We have one very broad section there under which we can suspend a license for poor operation where the physical properties are not kept up to standard or there is something definitely wrong, because our object is to provide the travelling public in this province of Ontario with the very best services we have, and that includes dining room service and room service and everything else. We often have to take action against a man and suspend his license for two weeks or a week or whatever the time is until he does some definite thing that, in our opinion, is required to improve his service. In those cases he is told why and he is told weeks before he must do this, and it is only resorted to as a last resort.

In such cases we tell a man, we try to be fair, our inspectors do not go around and bully hotelkeepers, they try to help them, show them to do their job better, and I want to say to hon. members in all sincerity, from my experience in the Province of Ontario since 1945, I think there has been a very definite improvement, and that improvement has been due to the fact that the inspectors have co-operated with the hotelkeepers in trying to raise their standards.

Now as far as the other feature of that section is concerned, I think it would be absolutely wrong for us, when the action is coming up in court at a definite period, to go ahead and state why he is suspended. I think we would be prejudging the case, and that we would be wrong and that it would not be democratic. It is not our job to make a decision at that time, the charge is laid by the police and it is the job of the court to decide whether that man is guilty or not, and I would be the last one in the world to want to do anything to prejudice the court's decision on the matter.

SOME hon. MEMBERS: Hear, hear.

MR. JOLLIFFE: Mr. Chairman, it would not prejudice the court in any way whatsoever; if that is the reason for the suspension, namely, the charges are pending in the courts, which will later be dealt with by the court, all that is necessary is for the Board to tell the man his license is suspended because certain charges are pending, that is all.

The hon. Prime Minister (Mr. Frost), as I listened to him, has not yet said a word in defence of section 5, and I really cannot believe that he is serious about this thing, because I think a few moments' reflection will satisfy him that this is unsound in principle. I am referring to Section 5, I am not referring to the powers of suspension, I am referring to Section 5.

Hon. LESLIE M. FROST (Prime Minister): I want to point out to my hon. friend (Mr. Jolliffe) that this is the same section that was in the Act for many years.

MR. JOLLIFFE: Oh, well --

MR. FROST: It was in the Act many years before 1946 and it was taken out, and I think it was a mistake to take it out.

MR. JOLLIFFE: It was a mistake to put it in.

MR. FROST: From 1934 on until 1946, it was a power that was found to be necessary, and I think it is far better to leave it there.

MR. BAXTER: I am sorry, Mr. Prime Minister (Mr. Frost) I cannot agree there, because if I remember right I noticed a news item the other night where the hon. Provincial Secretary (Mr. Welsh) was concerned with the fact that there was short measure being given in some of these premises.

MR. H.C. NIXON (Brant): And bad liquor.

MR. BAXTER: And things like that that might be considered minor infringements, yet nevertheless are infringements under the Act, and the people of that particular territory know those infringements are going on, and if they know the government is policing it and they have closed it down until that is cleared up, and they know that is the reason the place is closed down, then when it is opened up again they will be the ones who will be able to know whether the closing down has accomplished the desired effect.

MR. FROST: I point out that this is a power of suspension, not cancellation.

MR. J.B. SALSBERG (St. Andrew): I agree fully with the hon. Leader of the Opposition (Mr. Jolliffe) in what he says about this section 5. I suggest to the government to consider at least amending this section. There are other sections in this Bill that are bad, such as section 2. I did not speak on it here because I spoke when it was up for second reading. At least it does not sound bad, although its effect is a bad one, but section 5 sounds so bad that you almost gag at it when you read it. It just sounds so wrong that hon.members of the Legislature should hesitate before they vote for it.

Now, if-- and I am trying to find a compromise now--if the only reason is the one given by the hon. Minister (Mr. Welsh) then can it not be amended to state specifically at least that they give no statement or no explanation pending the hearing of a case in court?

But to leave it as is, really causes hon. Members of this House to feel that they cannot swallow it. It reads so repulsively. I will read it again and let the hon. MEMBERS hear it. It says:

> "The Board may suspend any license or permit issued under this Act and shall not be obliged to give any reason or explanation for doing so."

Now, I suggest it is pretty bad. I am not seeking to defend any hotelkeeper or licensee for any reason whatsoever, but I do suggest that the least you can do is to amend it so that an explanation will be given in time, and to state that the only reason you are withholding it is because you do not want to prejudice a case, though I would favour deletion of the whole section, as I would agree with the deletion of section 2, which in my opinion is bad. That section is simply an attempt to hush up the desires of people to get licenses and I do not think you should want to do that at all. However, let us limit ourselves now to section 5 and I suggest an amendment to it.

MR. F.R. OLIVER (Grey South): Mr. Chairman, I have been able to follow the hon. Prime Minister (Mr. Frost) most of the afternoon in his argument on this particular Bill, but when it comes to section 5 I find myself at complete variance. In the first place, neither the hon. Prime Minister (Mr. Frost) nor the hon. Provincial Secretary (Mr. Welsh) have offered, in my opinion, any evidence to substantiate the need for a change in this particular section. There has been really nothing of a conclusive character uttered by either one, by either the hon. Prime Minister (Mr. Frost) or the hon. Provincial Secretary (Mr. Welsh) that would lead this House to believe that a change should be made in the manner that is written in this Bill.

I would caution the hon. Prime Minister (Mr. Frost) this afternoon that we should be very careful indeed about writing into the statutes of this province an over-riding provision such as the one we are about to vote on here in this Legislature. We say by this

amendment that you can cancel licenses in Sudbury and in Ottawa and in St. Thomas and in Goderich and all over the Province of Ontario, and that the Board is not obligated to give any reason at all or any explanation at all for the suspension of those licenses. Now, surely, Mr. Prime Minister (Mr. Frost), we are going a long way, and a long way in the wrong direction, when we write that into our statutes, and I very earnestly ask my hon. friend (Mr. Frost) to reconsider this at this time.

MR. FROST: Personally I do not think this adds anything to it, but we are prepared to put in the words "give reasons therefor at the time of the hearing". At the time of the hearing the court case is all over and the matter is not prejudged and the reason for suspension can be given at that time.

Therefore, I would move:

> That the words after "shall" in the second line be struck out and these words substituted therefor: "Give reasons therefor at the time of the hearing."

That means that the section will then read:

> "The Board may suspend any license or permit issue under this Act and shall give reasons therefor at the time of the hearing."

In other words, when the matter comes up for hearing, the court case is over and the matter is not prejudged, and the Board then says to the applicant: "Your license was cancelled because we felt that you were selling to minors-----"---or suspended---"---that is why it was suspended. Let us hear the reasons why it should not be cancelled at that time." If that is satisfactory, let us put that in.

Hon. G.H. DUNBAR (Minister of Municipal Affairs): Don't they always say that?

MR. FROST: Well, they always do say that, but that, I think, will clarify the situation.

MR. R. THORNBERRY (Hamilton Centre): What will heppen if at the court case the hotelkeeper establishes his innocence?

MR. FROST: Then he comes up before the Board, and the Board says: "Now, our information is, and the reason we cancelled the license is, that our inspectors and others said you were selling to minors. Now, show cause why your license should not be cancelled." That is the situation. The man then says: "Well, I was tried in court and found not guilty", and that might appear to me to be a pretty complete answer.

MR. JOLLIFFE: You should recognize the paternity of your amendments.

MR. FROST: Is it our amendment or---?

THE CHAIRMAN: It is your amendment.

MR. FROST: All right, is section 4 passed?

THE CHAIRMAN: No.

MR. FROST: Then let us pass No. 4.

MR. C.H. MILLARD (York West): I move that sections 4 and 5 be deleted.

MR. FROST: Then let us vote on the amendment to delete 4 and 5, first.

MR. J.G. BROWN (Waterloo North): Mr. Chairman, cannot we take those separately?

MR. FROST: No, the motion by the hon. member for York West (Mr. Millard) is to delete sections 4 and 5. Let us clear that first of all, and then I think we can go ahead.

Amendment negatived.

MR. FROST: Now section number 4.

MR. MILLARD: And 5.

Section 4 agreed to.

On section 5.

Hon. L.M. FROST (Prime Minister): Now, I have an amendment that I moved a few moments ago, --

MR. J.L. EASTON (Wentworth): Get the boys organized.

MR. FROST: -- which I think meets the objection.

MR. A.A. MacLEOD (Bellwoods): Could it be read as amended now?

MR. E.B. JOLLIFFE (Leader of the Opposition): Mr.Chairman, I think the hon. Prime Minister's (Mr. Frost) amendment is a great improvement, there is no doubt about that, but without knowing something about the other procedure to be followed in connection with hearings, I am not at all clear as to whether it meets the case. As I understand it from what he said -- and I must rely on what he said because I have never been involved in any of these cases -- that the hotelkeeper under the proposed amendment would first have his license suspended --

MR. FROST: That is right.

MR. JOLLIFFE: And at some later date, at the convenience of the Board, he would appear before the Board for a hearing, and then for the first time he would learn what he was charged with, and unless he wanted another delay, another period during which he could not operate, he would have to meet those charges there and then, although he would not necessarily know in advance what they were. I assume in nine cases out of ten the operator would have a rough idea at least of what the trouble was all about, but what about the other cases where, perhaps the Board might have acted on confidential information which might later turn out to be unfounded? As I say, I think the hon. Prime Minister's (Mr. Frost) amendment to the section is a great improvement, but at the same time I cannot help wondering what could be done with this thing -- you know, if this

section as it stands or with the hon. Prime Minister's (Mr.Frost) amendment were framed and taken abroad to some country where we hold ourselves out as a democratic example, and if it were there framed as an example of our legislation, it would not look very good, would it?

MR. FROST: I point out to my hon. friend (Mr. Jolliffe) these matters all come up quickly before the Board. If you put in five or ten days, or something of that sort, it all adds delay to the proceedings. If you put it in this way, that at the time of the hearing he is told, then if the applicant finds himself embarrassed, the matter can be adjourned then, but I point out to my hon. friend (Mr. Jolliffe) that none of these people want these hearings adjourned, they want them to go through as quickly as they can, because it involves their right to sell and so on.

MR. JOLLIFFE: I am concerned with the principle.

MR. FROST: I think this meets the situation. Go ahead.

Amendment agreed to.

Section 5 as amended agreed to.

MR. FROST: Section 6.

On section 6.

HON. W. ARTHUR WELSH (Provincial Secretary): Mr. Chairman, section 6 is inserted in an effort to overcome a taxing sutuation, and on further discussions and on further consideration by our own taxing people, I find this will not do what it was intended to do. Therefore, I would move that this section 6 be deleted, Mr. Chairman.

Motion agreed to.

On section 6, formerly section 7.

MR. W.H. TEMPLE (High Park): Mr. Chairman, section 7 --- is rhat right?

THE CHAIRMAN: No, section 6.

MR. TEMPLE: (see; well, Mr. Chairman, I move:

> That subsection 2 of Section 68 (a) of The Liquor License Act as proposed by Section 6 of the Bill now before the House be amended by striking out the words "if three-fifths of the electors voting on a question vote in the negative" and substitute therefor the words "unless such a vote is held and a majority of electors voting on the question vote in the affirmative"

So that subsection shall read as follows:

> "Unless such a vote is held and a majority of the electors voting on a question vote in the affirmative. no Government store for the sale of liquor or for the sale of beer only shall be established, or no Ontario Wine Store shall be authorized or no premises shall be licensed as the case may be in the municipality."

I make that amendment to this section, Mr. Chairman.

MR. FROST: Well, Mr. Chairman, I can only say that this is quite unacceptable.

MR. TEMPLE: Mr. Chairman, may I have an opportunity to speak to this amendment?

MR. FROST: Oh yes, go ahead.

MR. TEMPLE: I would just like to say in connection with this amendment, it will in effect make it necessary for the municipality -- and there are about 150 of them in the Province at the present time n.b. -- which are in fact dry and have been dry, and they will remain in that position until the people in those municipalities have had the democratic right to express their opinion on the question. Now, I am convinced, Mr. Chairman ------

MR. FROST: Does my hon. friend (Mr. Temple) know that he includes all the organized territories in that amendment as well?

MR. TEMPLE: I am including every municipality in the Province of Ontario that is at present dry in fact,

MR. FROST: Then there are more than 150; 85% of the land area of Ontario.

MR. TEMPLE: ---- that at present hasn't a liquor outlet, and until the people of those municipalities have opportunity to express their desires, I say this, the LEGISLATURE has no authority, and should not give to the liquor forces of the Province the right to enter those municipalities and open up a liquor outlet. This amendment does give the people the democratic right to express their opinion.

I cannot for the life of me see how any man in this HOUSE who believes in democracy can vote against this principle.

MR. FROST: Mr. Chairman, this proposal is quite unacceptable. If we are going to adhere to the three-fifths provision, which has been in force in this Province since 1905, then we either have to stick by it or let us go the whole three-fifths business overboard.

I am not arguing at the moment on the merits of the three-fifths clause or otherwise, but as you say that you cannot take fish off one lady and flesh off another. Take for instance the City of Owen Sound. The City of Owen Sound went local option away back forty years ago. In the last few months Owen Sound voted, with the protection of the three-fifths clause; now, I cannot think that it is fair or right to take away the protection of the three-fifths clause from Owen Sound.

MR. TEMPLE: It is not suggested -- no suggestion of any such thing.

MR. FROST: Then let us take it from the other standpoint. In areas that have not voted dry, they are entitled to the same protection whether they have licenses or not, and the three-fifth clause operates in those cases.

Now Mr. Chairman, to water down this Act and have three-fifths clauses still for some people and then straight votes for others is just unfair and unworkable. We have got to stick to one thing or the other.

I am not saying to my hon. friend the Leader of the Opposition (Mr. Jolliffe) that perhaps the three-fifths clause has not some unfairnesses in it, but nevertheless it has been according to the rules of the game and it is according to the way we have done business under this Act now for pretty nearly fifty years, and personally I am opposed to changing it.

Mr. Chairman, I told my good old friend Mr. Spence that the other day. I said, "I do not think your proposal" --- and this looks very much like the Ben Spence proposal --- "I do not think, Mr. Spence, it is fair or workable. I think we have got to stick to our plans, which have worked fairly well. I think it would be a great mistake to water down this Act by making it a three-fifths proposition for some and straight votes for others." If you do that, Mr. Chairman, you might as well abandon the three-fifths provision altogether, and we are not prepared to recommend that.

The amendment negatived.

Section 6, formerly section 7, agreed to.

Section 7, formerly section 8, agreed to.

Section 8, formerly section 9, agreed to.

Section 9, formerly section 10, agreed to.

Section 10, formerly section 11, agreed to.

Section 11, formerly section 12, agreed to.

Section 12, formerly section 13, agreed to.

Bill No. 99 reported.

MR. FROST: Order No. 13

FAIR REMUNERATION TO FEMALE EMPLOYEES

CLERK OF THE HOUSE: 13th Order, House in Committee on Bill No. 120, an Act to ensure Fair Remuneration to Female Employees. Mr. Daley.

On Section 1.

MR. L.E. WISMER (Riverdale): Mr. Chairman, I move that it be amended by renumbering section 1 as subsection 1 of section 1 and by adding the following subsection:

"2. This Act applies to the Crown in the right of the Province of Ontario or any emanations thereof."

MR. FROST: Do you want to speak on that?

MR. WISMER: I think it is self-explanatory, Mr. Chairman. It should bind the government as well as other employers.

MR. FROST: Mr. Chairman, the amendment is unsatisfactory for reasons that are very apparent. As regards the operation of the principle of this Bill, the Civil Service Commissioner has already been notified to put the principle of this Bill into force with the Civil Service, if it is not already there.

The reason this is not acceptable is that the Civil Service operates under their own provisions and their own arrangements with the government, through their Advisory Council -- that is the Whitley System. As my hon. friend (Mr. Wismer) knows, the Labor Relations Act does not apply to the Civil Service, it does not apply to the civil servants either here or at Ottawa, or in most of the other provinces. Now, to make this Act apply would mean that you would bring the Civil Service under the operations of a director appointed by the Department of Labour. In the case of the Civil Service, it is far better and far more satisfactory that if, for instance, there is a complaint by

the Civil Service as regards the operations of this Act, that some person-- a woman-- is not being treated in accordance with the provisions of the letter which has been sent to the Civil Service Commission and which is available to the Civil Service, then they apply through their Advisory Councils for the correction of the wrong. I think it is confusing to have two different systems and for that reason the amendment is not acceptable.

MR. WISMER: Mr. Chairman, I can see some point in the explanation insofar as the Civil Service itself is concerned, but how can the Act be made to apply to such things as the Ontario Northland Railway, the Niagara Parks Commission, the Hydro-Electric Power Commission, the Liquor Commission -- I mean, my understanding is that unless the Act says specifically that it does apply to emanations of the Crown, then it does not. I was wondering how this could be brought to the benefit of the women.

MR. FROST: The Ontario Northland Railway is fully unionized. That railway is operated as a unionized railway, the same as the Canadian National Railway or the Canadian Pacific Railway. With the Ontario Hydro-Electric Power Commission, the principle is already in force there, and I can assure my hon. friend (Mr. Wismer) that with the Niagara Parks Commission there is no question about that, they are already notified the same as the Civil Service Commissioner, and you have the hon. Minister of Labour (Mr. Daley) himself the Chairman of that Board, so there is no question about that.

I can say to my hon. friend (Mr. Wismer) that we are not only anxious but we have directed that the principles of this Act be put into force in the whole service of Ontario, regardless whether it is a Commission or whether it is the Crown itself. Any my hon. friend can quite readily see the difficulty in enforcing such a provision as this or bringing into effect such a provision such as this in view of the Whitley Council System which is in operation, as I know satis-

factorily, and I can assure my hon. friend (Mr. Wismer) that I hope to make it operate a lot more satisfactorily in days to come.

The amendment negatived.

Section 1 agreed to.

On section 2.

MISS AGNES MacPHAIL (York East): Under section 2, I come back to the thing that I was stressing in the brief speech I made when this Bill was first introduced. I therefore move:

> That section 2 be struck out and the following substituted therefor:
>
> > "2. No employer shall discriminate in any way in the payment of wages or salaries as between sexes or pay any female in his employ a salary or wage rate less than the rate paid to male employees for work of comparative character or work on comparable operations, or where comparable skills are involved."

MR. FROST: That sounds like my hon. friend's (Miss MacPhail) speech I read in the paper the other day. You know, I follow you quite closely.

MISS MacPHAIL: Mr. Chairman, I recommend to the hon. Prime Minister (Mr. Frost) that he read Mary Lowrey Ross in Saturday Night of March the 27th.

MR. FROST: Well, did you read the front page of Saturday Night the same date?

MISS MacPHAIL: No, I missed the front page.

MR. FROST: Well, Mr. Sandwell is for me on that.

MISS MacPHAIL: I read Mary Lowrey Ross, and she is very amusing, you should read it. I am not going to read it, because it is too long, but she points out in a very humorous way -- so

humorous that almost nobody else could do it but Mary Lowrey Ross -- that if there is the slightest difference in work the Bill is ineffective. Here she has got a differential in rates between Mike and Sophie; Sophie get $1.10 an hour and Mike gets $1.25 an hour, so that they are trying to remedy that. However, the company finds a difference -- I would like to read a little bit if I can find it now-- the company has to find a difference in their work on company time and they do--Sophie goes to the washroom and powders her nose, Mike doesn't.

SOME hon. MEMBERS: Oh, oh.

MISS MacPHAIL: Mike has a cigarette on company time, so those two things let them, the Company, out from under the Act. Then it goes on that Sophie feels that it is an injustice, that she should get $1.25 when Mike gets it, so she goes all through this business--I will read, it is so involved.

SOME hon. MEMBERS: Go ahead.

MISS MacPHAIL:

> "She's a smart girl, or thinks she is, so she, Sophie, decides she'll catch the boss under the new No-Discrimination Act; and this is where Sophie really goes through the wringer. First she heads for the Labor Relations Board to lay a complaint. The Labor Relations Board explains that the matter is now out of its hands and she'll have to submit her claim to the Fair Employment Practices Branch. So she sits right down and writes to the Fair Employment Practices Branch, telling her whole story. She has quite a wait after that, but eventually she gets word that the Branch has lodged her complaint with the Labor Minister, who is naming a Conciliation Officer to inquire into the complaint."

Well, that sounds as though something should happen, but Mr. Blufisch,

who is having this argument Mary Lowrey Ross says, in explaining what happened to Sophie:

"The Washroom Factor in Wage Differential turns out to be a complicated problem demanding the appointment of a Conciliation Commission, which will use the wider powers of a Conciliation Board to summon witnesses and take evidence. Well, this drags along for months or maybe years, but finally she gets notice that the Conciliation Board has got round to her case and has decided that the boss has been guilty of Discriminatory Practice and will have to pay a $100.00 fine."

"Hurrah for Sophie," Mary Lowrey Ross says, but Mr. Blufisch, with whom she is having the argument, smiles and says:

"So the next time she opens her pay envelope, what does she find? It's still $1.10 an hour, because its cheaper for the boss to pay the fine than raise the pay of all the Sophies in the plant."

SOME hon. MEMBERS: Oh, oh.

MISS MacPHAIL: And that, I think, is going to happen hundreds of times. Then Mary Lowrey Ross says:

"'She could complain again,'

'Then she'd have to start all over again from the beginning,' -- Mr. Blufisch pointed out, 'and she figures that by the time her case reached the Concilation Board the second time she'd be ready for Old Age Pension.

'So she just says the hell with it and maybe marries Mike.'"

SOME hon. MEMBERS: Oh, oh.

(TAKE I FOLLOWS)

MR. DALEY: Mr. Deputy Speaker, that Sophie who wrote that humorous story certainly had not read our proposal, because we are by-passing the Labor Relations Board, and making it simple for them to get quickly into action. As the story goes, it was very humorous, but as the Minister of Labor, under whom this Act will come, I cannot see too much humour in the possibilities of administering, during the coming year.

We are breaking new ground in this Act. We have brought forward, to the best of our ability, an Act which seemed to fit what we had in mind. It must also be remembered that many jurisdictions have by-passed this, because of the difficulties of administration. They say the principle is good, but the difficulties of administering it seem to be almost insurmountable.

I hope you will go along with us this year. We have accepted the principle, and we will try to administer it fairly and honestly, and we will have to decide from ayear's experience where the weaknesses are.

I assure the hon. members of the House, Mr. Chairman, that we will try and administer this Act fairly and squarely, so that these injustices, if they exist, will be eliminated.

MISS MACPHAIL: Surely the hon. Minister of Labor (Mr. Daley) needs a little humor now and then and Mary Lawrey Ross' articles should be read week after week. They are really good.

MR. SALSBERG: What if the lady who writes the humorous piece's every week is as good as Leacock or not?

AN hon. MEMBER: Or Salsberg?

MR. SALSBERG: I don't know, and while it is true that Sophie perhaps has got her man, she may at the same time get the "sack".

The hon. Minister's (Mr. Daley) explanation that after all we are plowing new ground and that we will see next year what happens does not hold up, because the hon. Minister (Mr. Daley) is trying to plow, with a very ancient wooden plow, which will not scoop out, but in fact will skip over considerable areas, and they will not be opened.

MR. DALEY: Are you trying to be as funny as the lady?

MR. SALSBERG: In other words, the kind of plowing the hon. Minister (Mr. Daley) will be engaged in, as far as this Act is concerned, may bring forth a lot of weeds, but not very much fruit.

I have listened to the amendment and the purpose for which it was intended. I have an amendment which I will not introduce now, since there is one which seeks the same objective. The amendment wants to make it clear to what is intended with this Bill. That is all. This Bill does not make it clear. The wording of the Bill will leave it open to all sorts of interpretations, and to a continuation of discrimination, on petty, small, technical grounds.

The author of the piece in Saturday night humorously alluded to some of these things, but no one can be other than serious about this amendment, and certainly when the Bill was up for second reading, it was said that there would be a thousand and one excuses for employers who desired to discriminate against female employees to continue to do that. That is very clear. So it is not the problem as the hon.

Minister (Mr. Daley) presents it, that plowing new ground solely, but actually it is only just skimming the earth. I suggest that the real difficulty, in order to plow this thoroughly, is that we should accept the amendment, or an amendment like it, which will leave no ambiguity, no room for misunderstanding and misinterpretation in the enforcement of the Act.

MR. FROST: Mr. Chairman, is this not the amendment we voted, at Second Reading? If it is, it seems to me it is out of order.

MR. JOLLIFFE: No.

MISS MACPHAIL: It has the same idea, but it is not the same amendment.

MR. PARK: The amendment on Second Reading covered a number of points.

MR. FROST: This amendment covers a number of points.

MR. MACLEOD: The amendment on Second reading was more explicit.

MR. FROST: Mr. Chairman, I do not want to take up too much of the time of the House, but if this involves the same principle, I think it is clearly out of order. It says:

> "That this House believes that legislation shall apply to work of comparative character, or to comparable operations, or where comparable skills are involved, and will protect workers who lodge complaints" --

and so on. The wording is almost identical with that upon which the House voted down 43 to 28. I think that should be sufficient, without going over it again.

MR. JOLLIFFE: There were a lot of other matters dealt with in that amendment.

MR. FROST: Mr. Chairman, this matter was decided at that time. If the hon. members want to take a vote and clean this up now, all right, that can be done without further debate. Other than that, I think we will have to ask that the Chairman rule the amendment out of order. I do not want to take up too much time. I would prefer to have the amendment called, and have this House decide for or against it, and let it go that way.

MR. JOLLIFFE: May I point out to the hon. Prime Minister (Mr. Frost) one thing; what is the position of an hon. member of this House who voted against the previous amendment because he disagreeed with everything in it except this particular point, and who now wishes to vote in favour of this particular point in Committee of the House, where it is relevant under section 2? I think it is quite apparent that this rather loose statement that it is the same principle --

MR. FROST: Mr. Chairman, I will not press the point. I do not like to stand on technicalities, but it seems to me this is practically the same amendment, with the same principle, and we do not want a repetition of the entire debate. It was voted on in the House.

MR. JOLLIFFE: I do not propose to repeat the debate. There is one thing I do want to say, however. At some point or other, during the history of this Bill, the statement was made, I think, by the hon. Attorney General (Mr. Porter) that the word "comparable" was not a word which had any legal or statutory meaning.

MR. FROST: I think I said that, and the hon. Attorney General (Mr. Porter) told me it was hearsay.

MR. JOLLIFFE: I regret the hon. Prime Minister (Mr. Frost) was so badly advised on that occasion. May I point out that advice was completely incorrect. I could give a number of examples, but I have only bothered getting one, which happens to deal with the labor relations and the payment of wages. It is a section concerned with the payment of wages. I would like the Committee to listen to the words I am about to read, because these are the words which were used by the Parliamentary draftsman when he wants to cover a broader field than is suggested by the very restricted word "same".

I am reading from P.C. 5963, of 1942. This was one of the most important pieces of legislation placed on the books during the wartime years. The fact that it has to do with wage control is irrelevant and besides the point. It has fallen to the lot of a number of our most distinguished Judges to interpret these words, and to apply them, and understand their meaning. Amongst those Judges was Mr. Justice Richard, of the Manitoba Court of Appeal, and some of our other Judges in the provinces of Canada, and amongst them was our own Justice C.P. McTague who at that time was a member of the Supreme Court of Ontario on loan to the government, to serve as Chairman of the National War Labor Board. These words were used:

> ". . . 27. The National Board may authorize or direct an employer to inaururate the payment of a range of wage rates or a single wage rate in respect of a job or position

or an occupational classification with respect to which the employer was not paying a range of wage rates or a single wage rate as part of the basic scale of wage rates paid by him on November 15, 1941, or in respect of jobs, positions or occupational classifications in any new establishment or site of operations in which operations are commenced by the employer after such date, if such range of wage rates or single wage rate is comparable with the ranges of wage rates or the single wage rate generally prevailing for the same or substantially similar jobs or positions or occupational classifications in the locality or in a locality which, in the opinion of the Board, is comparable."

(TAKE "J" FOLLOWS)

I could go on to read 28, which uses the same sort of language to deal with a different sort of situation, or I could read 25 which uses the same sort of language to deal with a different sort of situation. I will not take the time to do so. The point is that from 25 and throughout the following regulations you will find the language studded with the word "comparable", the word "similar", or the word "substantially similar". You will find not only the word "establishment", but you will find wider words. I am not arguing that point here, to-day. I have said that simply to make it clear that the Government is not limited by any lack of language, that is, of Parliamentary effect, in choosing to use the word "same". The choice of the word "same", is, of course, quite deliberate, and will have the benefit of limiting the application of this Bill to a very small number of unemancipated women in the province of Ontario.

MR. FROST: I can only say to the Hon. Leader of the Opposition (Mr. Jolliffe), the hon. member for York East (Miss MacPhail) quoted an article approvingly of Saturday Night. I wanted to quote what Mr. Sandwell said on the same date in the same paper.

MISS MacPHAIL: It is in the previous week's edition.

MR. FROST: Then, I cannot do anything about that, but, Mr. Sandwell gives the reasons, I think, very clearly, why the word "comparable" should not be put in this legislation. I really found myself for once in entire agreement with Mr. Sandwell.

MR. MacLEOD: How do you know that Mr. Sandwell said that?

MR. JOLLIFFE: Here you have the whole problem. We have unemancipated women, like Mary Lowery Ross, being quoted by the hon. member for York East (Miss MacPhail), and an emancipated man being quoted by the Hon. Prime Minister (Mr. Frost).

Motion negatived.

Section 2 agreed to.

On Section 3:

MR. PARK: I move that Bill 120 be amended by inserting After Section 2 the following Section:

"3 Any employer who violates the provisions of Section 2 shall be liable to the employee or employees affected in the amount of their unpaid wages and in an additional equal amount in liquidated charges."

and by renumbering Sections 3, 4, 5, 6, 7 and 8 as Sections 4, 5, 6, 7, 8 and 9 respectively.

The purpose of this amendment, I think, is quite clear. Certainly if an employer is found to have violated the operative sections of the Act, he ought to be liable to the employee who has gone without the wages to which the Board finds, or it is found, she is entitled. H e ought to be at least liable for the payment of those unpaid wages to her. Under the present Bill he is not liable for those unpaid wages. It gives the employer an interest in continuing to discriminate. The purpose of this amendment, as is quite clear, is to ensure that the worker who is discriminated against, will be able to obtain that amount of back pay which was denied her by the employer, even during the period, perhaps, that it is before the Fair Employment Practices Director and the various commissioners and conciliators.

HON. C. DALEY (Minister of Labour): Mr. Deputy Speaker, I think the point referred to in this amendment, can be well taken care of in Section 6.

"No prosecution for an offence under this Act shall be instituted except with the consent in writing of the Minister on the recommendation of the director."

I mean, I could issue an order in a case where it was obvious this man was just trying to defeat this person or persons out of their just dues. Section 4 deals with it, if the conciliation officer is unable to effect a settlement of the matter, so forth and so on, that has been very carefully gone into in designing this Act. The amendment is not acceptable.

MR. J.D. SALSBERG (St. Andrews): Mr. Deputy Speaker, I am sorry, I cannot understand the hon. Minister of Labour (Mr.Daley) argumentation at all,if you can call them arguments. The rejection of this amendment means the rejection of the proposition which would safeguard to every single female employee the wages that she was entitled to but which were denied her because of a discriminatory Act. There is nothing in the Act, anywhere, further on or before that, which would safeguard that discriminated person. The only thing the Act provides, and that is the section to which the hon. Minister (Mr. Daley) referred to -- in Section 6 the provision is made that he may, if he so chooses, agree to have a prosecution started, but that only provides for a penalty of a very small amount for the violation of the law. It has nothing to do with remunerating the person for the loss suffered. You are dealing with two different things entirely. I think that the incorporation of a clause as suggested really reduced the insistence of discrimination. The awareness of an employer that such a clause is contained in the Act would, in itself, act as a safeguard against the most forms of discrimination and you would require fewer prosecutions if you were to incorporate that. To reject this amendment, Mr. Chairman, means, as far as I am concerned, that the Government wants to keep this Act, which is a step forward it is true -- no one challenges that -- but nevertheless, as window dressing to a very large degree because it will have very few teeth and very few enforcement provisions.

I certainly do not think we should have an Act which will serve primarily the purpose of window dressing.

MR. FROST: Mr. Chairman, just in conclusion, may I say that this principle was given very thorough consideration not only in this Act but in the Act which preceded it, and which will have to be considered probably to-morrow, referring to the Fair Employment Practices Act. It may be an outgrowth of administration of this Act that some subsection or principle will be introduced, into our law. We feel that we are in a new type of legislation dealing with a new principle. We felt that it was far better to avoid complications, and difficulties which might arise through administration and which might make this type of legislation an unworkable type. We find that it is far better to keep an Act simple, to keep them declaratory to provide for conciliation, to provide for every means of drawing people together, to get our people to accept what we think is a very fine and a very solemn principle and to keep the sanction end of the matter well in the background. I think that is a sound principle and we have always recognized in our own discretions that there was some merit in that point of view. In working it out we are pioneering a new principle, and for that reason we prefer to stick to the Bill the way it is.

Amendment negatived.

Sections 3 and 4 agreed to.

On Section 5.

MR. L.F.K. FELL (Parkdale): Before you consider Section 5 I should like to move that Bill 120 be amended by inserting after Section 4 the following section:

#5. Every employer who discharges or attempts to discharge or in any way discriminates against an employee who (a) has testified or is about to testify

in any proceeding or investigation had or taken under this Act or (b) has given any information to the Director or the Minister regarding the wages paid or payable to such employee or fellow employees in any plant, or (c) has initiated or taken part in any proceedings, had or taken for the purposes of assisting the Director or the Minister in the administration of this Act, shall be guilty of an offence and upon summary conviction shall be liable to a penalty of not less than $50.00; and by renumbering sections 5, 6, 7 and 8, as sections 6, 7, 8 and 9 respectively."

(TAKE "K" FOLLOWS)

MR. DALEY: Not acceptable.

MR. FELL: I think, Mr. Chairman, that this is one amendment that we can agree to. It seems to me in looking at the Act we provide penalties, for instance under section 5 which we have not taken as yet, for not following the directions of the Minister or the director in this case. We provide certain penalties in other places. It seems to me that this is probably the one point where protection is needed for the employee, because it is obvious that in coming to a conclusion as to whether there has been an offence or not, evidence will have to be given and there will be two sides to this story, the employee will be, of course, obligated to provide evidence to the best of his knowledge and will undoubtedly have to reveal information which perhaps in some instances an employer might not want to have divulged at that time. It may even be that some of the evidence may reflect certain things which would be unattractive for the empl And it is not unknown that where situations of this kind have arisen in other labour matters, employers have been wont to dismiss people for "other reasons," perhaps, other stated reasons, but nevertheless a very strong suspicion has been felt that the dismissal was based on the giving of evidence, that was not a happy situation for the employers.

I think that the hon. Minister of Labor (Mr. Daley) will probably see that there is some justice here. It is merely a protection for the employee, that if he is called upon---and he must under the Act do so or submit to penalties ---he must appear if he is called upon to give evidence, that if he is compelled to give this evidence, that he should have at least some protection against losing his job.

MR. G. E. PARK (Dovercourt): Mr. Chairman, this amendment merely adapts into this Bill a principle you have already written into the Labor Relations Act. We are not asking you to break a bit of new ground, it is simply a protection against an employee from being intimidated for giving evidence before your Boards.

MR. DALEY: I do not feel such language is required in this Bill at all in its initial stages. We find that cases such as the hon. member (Mr. Fell) has disclosed are very rare indeed in the Labor Relations Act, and of course if there is an organization in any of the plants, that organization would take care of the employer who committed this sort of offence.

MR. PARK: Your legislation puts it on an individual basis. You refused to allow organizations to bring actions under this Act, you insist it must be an individual, and there are a lot of unorganized plants.

MR. SALSBERG: Hear, hear--that is the point.

MR. DALEY: There are a number, and what we hope, anyway, in the first year of administering this Act, is to bring the complete understanding of it by relying to some considerable extent on the fairness of people. I believe in general that our people are fair and reasonable and when this Act is the law of the land, I believe to a great extent our people will comply with its regulations and that in that way our difficulties will be lessened.

Now after the administration of this Act for a year before the next Session of this Legislature, if those sort of things are coming to the surface, certainly I would myself recommend to the Legislature that stricter measures are required. But at the outset, I do not see it,

and I reiterate what the hon. Prime Minister (Mr. Frost) has said, that all these things were considered in the designing and the formulating of this Act, and this government does not feel that to have a good piece of legislation you have to use such measures as this to force people to do the things that the law requires them to do.

MR. FELL: Mr. Chairman, on a point of information. What recourse, then, will an employee have who feels that he has been unjustly dealt with? Supposing we do have a situation where in an unorganized plant we have an employee who feels that there has been a violation of this Act, and perhaps because of some knowledge that he may have of this particular piece of legislation, he makes an appeal to the director or to the hon. Minister of Labor (Mr. Daley), and in due process his case is heard, and in the process of hearing his case, he and other employees submit certain pieces of evidence and as a result of this evidence perhaps a finding is made in their favour. The case then as far as the director or the hon. Minister of Labor (Mr. Daley) are concerned is closed; they have done their job and they have made a finding. Now we go back to the plant, and I do not think that we should accept in the broad sense a statement that most people are fair. In business, and those in the labor movement, have discovered that business is business, you can be on the best personal terms with your employer but when it is a question of business it is strictly business, and if he finds a way of operating his business cheaper, he is going to do it. If it is an organized plant, he may have a little more difficult job of trimming off expenses on wages and that sort of thing. If there is not an organization representing the employees in that plant, then perhaps his job is relatively simple. In this case we have a solution which

has been found to a grievance, an employee goes back and the employer decides: "This is not a good thing, we have this fellow here and perhaps this other fellow who may be a bad case; next thing I know I may have an organization in here," and he decides to dismiss them. They have lost their jobs. They have been told for some other reason, or they do not have to be told in some cases, but nevertheless they have lost their jobs. Now the hon. Minister (Mr. Daley) is suggesting that we go back and stop with the director or the hon. Minister (Mr. Daley) or whoever hands down this decision and that is the end of the story. That happens--

MR. DALEY: No, we would not accept that as the end of the story, if an individual were dismissed because of appearing before the director. We would certainly process that back into the particular place where it happened.

MR. JOLLIFFE: What could you do about it?

MR. DALEY: It might be, as you suggest, a very small place where probably this might be between all two or three of those working there, but we would not accept that, we would still try to protect that individual.

MR. FELL: Well, Mr. Minister (Mr. Daley), that is the point I am trying to get out. How can you protect him? What can you do?

MR. DALEY: Probably under the No-Discrimination Bill.

MR. FELL: You do not have any power to penalize the employer for doing this, you see.

MR. DALEY: That would be discriminating for something.

MR. FELL: He has committed an offence and the most you can do is probably call him to the office or send him a letter and say: "What you have done looks pretty shady. You may be able to establish a pretty good case for it, but in our opinion---"---and, mind you, it is not a judicial or legal

decision, it is merely an opinion---"---in our opinion you have done something pretty shady and so we suggest pretty strongly you take these people back and give them their lost time." Perhaps you might even go that far. But supposing the employer says: "What right have you got to tell me these things? This is all supposition on your part. I have not violated any section of the Act. You handed down a decision, I met it. Now as far as you are concerned, that is the end of your jurisdiction, the end of your authority. You can suggest all you like to me, but you cannot force me to take these people back nor to pay them their lost wages. Furthermore, you can't prove I dismissed these people unjustly."

That is the point we are trying to make here, and, Mr. Minister (Mr. Daley) I think if we are going to try to do this thing at all, let us try to do it on a basis of equality, let us assure these people they are going to have protection. If I worked in a plant and there were no protections under the Act and I was aware of it and a man had a grievance, I would think twice about giving evidence.

MISS MacPHAIL: Or a woman.

MR. FELL: Or a woman, rather. I would certainly think twice before giving evidence, I would be afraid of what was going to happen to me. And when you get into factories, anyone who has ever worked in a factory knows that you have to contend with foremen sometimes who do not like you, and the foremen have to contend with some men who do not like them---personal relationships are such that unless there is some definite protection under this Act against something like this happening, the employee is in a very serious, precarious position and therefore the Board or the director is not going to get the evidence upon which they can base an honest, sincere decision.

Now, if we want the evidence to make an honest decision and make this Act work, we have to make it as asy as possible for these people to provide the evidence that is required to make that decision, and you cannot do it under this Act without some protection.

MR. DALEY: Well, we think we can.

MR. SALSBERG: Mr. Chairman, this amendment is another very valuable addition that is proposed from the Opposition side to make this Bill more than a mere declaration of principle.

The hon. Minister (Mr. Daley) stated that is the important thing at this stage, and I agree that the declaration of this principle and its incorporation into law, even in an inadequate way, is important, but certainly we must try to make it more than declaratory, we must make it something that will bring results.

Now the hon. Minister (Mr. Daley) must realize---and I am addressing myself to the hon. Minister of Labor (Mr. Daley)---that the problem exists chiefly in the unorganized segment of the working people of this province, that, by and large, equal pay for equal work has been achieved as a result of trade union efforts where unions existed. The protection therefore is not necessary for the female employees working in unionized industry, the protection is required for women who work in unorganized plants where the inequality of payment is flagrant and widespread. In rejecting this amendment you are denying the necessaryprotection to the very people who require it, and without which protection they will not be as ready as they otherwise would be to seek support from the government in their efforts. That is point number one.

Point number two that I want to bring to the attention of the hon. Minister of Labor (Mr. Daley) is that he has

in reply to this amendment and two other amendments this afternoon repeated the following words or words to this effect: "We will examine the Bill next year and if we find weaknesses, we will strengthen them." Well, let me remind the hon. Minister (Mr. Daley) that the Bill does not go into effect until January 1st, 1952. When we will get together in February or March, 1952, if the hon. Minister (Mr. Daley) will be re-elected he will be here, otherwise of course the problem will be easier, but assuming that he will be here--

Hon. G. H. DUNBAR (Minister of Municipal Affairs): We will remind him that you were here.

SOME hon. MEMBERS: Hear, hear.

MR. SALSBERG: I would say to the hon. Minister of Municipal Affairs (Mr. Dunbar) that he does not know St. Catharines as well as I do, and if he were to know St. Catharines as well as I know St. Catharines, he would not be so certain about the return of the hon. Minister of Labor (Mr. Daley).

MR. DALEY: In the circles that you move in over there, yes, I will agree with you.

SOME hon. MEMBERS: Hear, hear.

MR. DALEY: I do not move in those circles.

MR. SALSBERG: No, the hon. Minister (Mr. Daley) says that he does not move in those circles, I move in, in St. Catharines.

MR. DALEY: No, I saw the little gang you brought into the collegiate one night when I went over there to speak--a little handful up in the gallery, up there to boo, and every time you spoke, how you turned and bowed to them.

AN hon. MEMBER: Hear, hear.

MR. DALEY: A little man.

SOME hon. MEMBERS: Hear, hear .

MR. SALSBERG: I will answer the hon. Minister (Mr. Daley) and I will ask you to applaud, too, because it will deserve it. You see, I do not associate in the circles that the hon. Minister (Mr. Daley) does, in St. Catharines.

MR. DALEY: No, you bet you don't.

MR. SALSBERG: When I go to St. Catharines, it is usually to attend a labor meeting.

MR. DALEY: There is not a labor meeting would let you in the hall. What are you talking about? You can't get into any labor meeting. They won't even let you in.

MR. SALSBERG: Now then the hon. Minister (Mr. Daley) referred--

MR. DALEY: You do hang around the lobbies where there is a meeting going on, I know that. But you don't get in.

MR. SALSBERG: The hon. Minister (Mr. Daley) referred to a certain public meeting held in the collegiate and stated that I had a group or a clique, whatever he called it, in the gallery.

MR. DALEY: Certainly you did.

MR. SALSBERG: That I bowed to them in acknowledgment of the applause.

MR. DALEY: Applause, yes.

MR. SALSBERG: Well, I would never have done that, Mr. Chairman, but the hon. Minister (Mr. Daley) asked for it, and I must remind him--and I am sorry all hon. members will have to listen to this, but I cannot do it otherwise--

MR. DALEY: Are you dealing with an amendment or with a meeting in St. Catharines?

MR. SALSBERG: Sure, we are dealing with an amendment, but you brought in the meeting at the collegiate, so please listen to the end of it. The meeting at the collegiate that the hon. Minister (Mr. Daley) referred to was a meeting

organized by the almost the entire community, to which they invited representatives of all parties to discuss public issues. I was fortunate in being one of those invited. It is true that the meeting was an ordeal for the hon. Minister of Labor (Mr. Daley). He was booed continuously.

MR. DALEY: By your little group up in the gallery, yes.

SOME hon. MEMBERS: Hear, hear.

MR. DALEY: But you notice I was re-elected after that, don't you?

MR. SALSBERG: If we had had--

MR. DALEY: You didn't forget that.

SOME hon. MEMBERS: Hear, hear.

MR. SALSBERG: The hon. Minister (Mr. Daley), however, forgets to mention--

MR. DALEY: You are wasting your efforts to go over into St. Catharines. You pick some new ground, they have had all they want of you.

MR. SALSBERG: The hon. Minister (Mr. Daley) is a little excited about it. I am sorry he started it. I was not going to speak about that meeting. Now then, the hon. Minister (Mr. Daley) was booed continuously, he had a hard time.

AN hon. MEMBER: By whom?

MR. SALSBERG: The entire audience. If we had had a meter to measure the volume of applause, there would have been no doubt in anyone's mind that the opposition came from the entire collegiate auditorium.

MR. DALEY: You should say the organized opposition.

MR. SALSBERG: And it was so powerful---and here is where I hate to mention something I am about to mention.

MR. DALEY: I imagine you did.

MR. SALSBERG: It was so loud that the hon. Minister who sat next to me, said: "I have had enough of this, I am leaving."

MR. DALEY: Who said?

MR. SALSBERG: And I turned to the hon. Minister---now, please, let us recall it---I turned to the hon. Ministerand I said: "Now, Charlie, you can't do that. That is the worst thing you can do is to get up and walk out. Stick it out." The hon. Minister looked at me and said: "I think you're right," and he stuck it out.

MR. DALEY: Your imagination is as good as the lady who wrote that story.

MR. SALSBERG: It is not imagination, it is just memory of what actually took place. If it were not for my appeal to the hon. Minister (Mr. Daley) he, who could no longer take it, would have walked out, to the discredit of the hon. Minister (Mr. Daley). And I thought it was a very, very bad thing to do, so I asked him to remain, and he was wise enough to remain and stick it out and take it.

THE CHAIRMAN: Order.

MR. SALSBERG: Now on to the amendment, Mr. Chairman.

SOME hon. MEMBERS: Oh, oh.

MR. SALSBERG: ---from which the hon.Minister (Mr. Daley) diverted me with the interjection of the St. Catharines experience, an experience I assure you I do not mind having recalled. The second point, therefore, I wish to make is this, that if we get together, a year from now, the hon. Minister (Mr. Daley) will then say: "Well, we have only had a couple of months of experience with the Act, it is altogether too soon to make any amendment. We will get together next year and if the experience will justify it, we will make amendments."

That will be 1953.

MR. DALEY: Mr. Chairman--

MR. SALSBERG: I suggest that he should change his approach and should change his replies, and if he cannot give a better argument, let him agree to accepting the amendment which in my opinion is a very valuable one.

Amendment negatived.

MR. G. E. PARK (Dovercourt): Mr. Speaker, on No. 5--

MR. FROST: Don't bring in another one.

MR. PARK: I move:

> That section 5 of Bill No. 120 be amended by inserting after subsection 1the following subsection:
>
> "2. Each day that any person fails to comply with any provision of this Act or any order made under this Act shall be deemed to constitute a separete offence."

And may I say, Mr. Chairman, in moving that proposed amendment, that it is drawn almost word for word from the Bill moved one year ago by the hon. Minister of Labor (Mr. Daley) known as the Labor Relations Act of the Province of Ontario.

MR. DALEY: Well, Mr. Chairman, it is not acceptable to us. I pointed out at an earlier date that when this Act becomes law, I intend to make a very careful study of the administration of how this Act is operated, certainly in New York State and in any place where I can get information, and as this Act does not come into effect till almost a year, I think we will know a lot more about how people are administering such legislation.

I am not prepared to accept any changes in this Bill.

MR. PARK: Then, Mr Chairman, may I make this point. I am glad the hon. Minister (Mr. Daley) mentioned New York State and how he is going down there for information and advice, because I might have made that point when I introduced the amendment. This kind of amendment is in the New York State Act.

MR. DALEY: We will see what results they have, then.

MR. PARK: It is a continuing offence under the New York State Act, and I know you mentioned earlier you had patterned your thinking after the New York State Act, but you certainly did not take everything within the Act, you took the worst parts of it and brought them to Ontario, and left the better parts out. This is taken from your amendment moved a year ago, and is in the New York State Act.

Hon. LESLIE M. FROST (Prime Minister): We will look it over---perhaps take you down with us.

MR. E. B. JOLLIFFE (Leader of the Opposition): I have only one comment to make in connection with this amendment, and it would have been equally applicable to the last amendment, and that is that a year ago the hon. Minister (Mr. Daley) was prepared to move a Bill which contained certain safeguards for employees and in particular those who are complainants or those who get into difficulties, with the result that some sort of action has to be taken. The hon. Minister (Mr. Daley) was prepared to do that a year ago for employees in general under The Labor Relations Bill, but what he was prepared to do for them he is not prepared to do for the women in this Bill. That gives a pretty clear indication of just how much this Bill really measures up to the great trumpet blasts with which it was introduced.

MR. PORTER: Easy.

MR. JOLLIFFE: You are not prepared to do for the women

what you did in another Act for other people.

MR. DALEY: We will see that they get a fair break.

Amendment negatived.

Sections 5 to 8 inclusive agreed to.

Bill No. 120 reported.

MR. FROST: Order No. 6.

PUBLIC UTILITIES ACT

CLERK OF THE HOUSE: 6th Order, House in Committee on Bill No. 122, An Act to amend the Public Utilities Act. Mr. Dunbar.

MR. FROST: These are the Bills that were in the Committee.

Sections 1 to 5 inclusive agreed to.

Bill No. 122 reported.

MR. FROST: Order No. 7.

LOCAL IMPROVEMENTS ACT

CLERK OF THE HOUSE: 7th Order, House in Committee on Bill No. 123, An Act to amend the Local Improvement Act. Mr. Dunbar.

Sections 1 to 4 inclusive agreed to.

Bill No. 123 reported.

MR. FROST: Order No. 8.

MUNICIPAL AFFAIRS ACT

CLERK OF THE HOUSE: 8th Order, House in Committee on Bill No. 124, An Act to amend the Department of Municipal Affairs Act. Mr. Dunbar.

Sections 1 to 4 inclusive agreed to.

Bill No. 124 reported.

(Take L follows)

Hon. LESLIE M. FROST (Prime Minister): Ninth Order.

THE VITAL STATISTICS ACT

CLERK OF THE HOUSE: Ninth Order, House in Committee on Bill No. 125, "An Act to amend the Vital Statistics Act", Mr. Dunbar.

Sections 1 to 4 inclusive agreed to.

Bill No. 125 reported.

Hon. LESLIE M. FROST (Prime Minister): Order No. 10

THE ASSESSMENT ACT

CLERK OF THE HOUSE: Tenth Order, House in Committee On Bill No. 126, " An t to amend the Assessment Act", Mr. Dunbar.

Sections 1 to 15 inclusive agreed to.

Bill No. 126 reported.

Hon. LESLIE M. FROST (Prime Minister): Order No. 11.

THE MUNICIPAL ACT

CLERK OF THE HOUSE: Eleventh Order; House in Committee on Bill No. 127, "An Act to amend The Municipal Act"? Mr. Dunbar.

Sections 1 to 15 inclusive agreed to.

On Section 16.

Mr. DENNISON: On Section 16, Mr. Chairman; this Section presents a number of miscellaneous items, and I would like the same amendment as I moved in the Committee, to 112 (a). I therefore, move, that in section 16, on page 9, section 112(a) providing for the licensing, regulating, and governing the owners or operators of public address

systems, sound equipment, loud speakers, and similar devices, when used on the highways or public lands, or lands adjacent thereto, or when emitting sound therefrom.

I would like to move the amendment that we add the following words:

> " Except when such use is in connection with a Dominion, Provincial or Municipal election plebiscite, or a vote under the Liquor Licence Act, or the Labor Relations Act, and when such use is within 30 days prior to such election or vote"

I would like to give my reasons for moving that.

THE CHAIRMAN: That is the same motion you moved in Committee?

MR. DENNISON: Yes.

THE CHAIRMAN: Exactly the same?

MR. DENNISON: No. I added thereto a certain section. It is a different motion, Mr. Chairman.

MR. FROST: Do you think there is anything wrong with giving the municipalities the power to licence? It is for them to say.

MR. DENNISON: I will not take very long --

MR. PORTER: Cannot you talk loud enough without a loudspeaker?

MR. DENNISON: After all, we use the loudspeakers as one of our modern services of democracy. The Conservative Party has used them, the Liberal Party has used them, the C.C.F. Party has used them, and I believe the Progressive Labor has also used them.

MR. LEGER: Mr. Chairman, up in our country, the only who used them was the C.C.F. Party.

MR. DENNISON: I can assure the hon member for Cochrane North (Mr. Leger) --

MR. LEGER: We do not need it up there. We want it otherwise.

MR. DENNISON: The Conservative Party in North Renfrew used the loudspeaker more than the C.C.F. We did use it, and the Liberals used it, and I think the Progressive Labor used it, also.

A loudspeaker is a necessity in many elections. I happened to be up in Peel County not long ago, and the temperance forces and the anti-temperance forces were both using the loudspeakers in that county.

The loudspeaker system is a wonderful method of reaching the public. We say we believe in free speech, and allow people to get up and talk in the open air anytime they want to. That is a part of our democratic processes, and anyone who wishes to address the people on any subject is permitted to do so.

During an election campaign, I am quite sure that the passing of this Section will result in certain municipalities restricting the use of the loudspeakers, or perhaps ban them altogether.

MR. PORTER: That would be agreat thing, it will give people a little chance to think.

MR. DENNISON: Or read the Tory Press, to get one side of an argument, and not the other. That is what is in your mind, Mr. Attorney General (Mr. Porter). This loudspeaker device gives all sides a comparatively equal

chance. Let me tell the hon. government members that I am willing to say -- and I am sorry the hon. member for High Park (Mr. Temple) is not here at the moment -- that the largest user of the loudspeaker in the last Federal election was the hon. former Premier of this Province (Mr. Drew). He had the loudspeaker going all the time.

MR. FROST: It did not do him much good.

MR. DENNISON: That is true, because it was only a one-sided use. The loudspeaker should give every person an equal chance of hearing both sides. I do not see anything wrong with it. Some people do. Some people think there is something wrong with nearly everything, and we are asked to allow the municipalities to pass a by-law which will result in restricting the use of loudspeakers, and putting them in a position where they can say to the temperance people or the labor people, during voting, "You cannot use a loudspeaker under any con[illegible]". That is a restriction of free speech, and this Legislature should give no such power for restricting free speech to anyone.

I would say that these steps are ones which should be taken, and I suggest they are very fair and very necessary.

MR. DUNBAR: I cannot understand a man who has sat on a City Council, who has so little confidence in those elected by the people as to say they will not be fair, and will not allow loudspeakers at election time. But they have become a nuisance; they go around hospitals, where there are sick people, and around stores and places of business,

yelling and hollering, and it does not matter whether there is an election or not. People from various cities in this province have asked that this amendment which we introduced be passed. Surely that meets the wishes of those who have been elected. The hon. member for St. David (Mr. Dennison) was an Alderman in the City of Toronto, and surely he would not want me to take away the local autonomy, about which he is shouting so much.

This is permissive legislation. It says "they may"; it does not say "they shall", therefore, there is nothing to it.

MR. DENNISON: Here the big difficulty is -- the municipalities already have the right to restrict these devices if they interfere with people, because of sound. They already have the anti-noise by-laws to restrict them from certain areas, and from the vicinity of hospitals, and so on, but the administration of these by-laws is in the hands of a non-elected body, the Board of Police Commissioners, and I say that if we pass --

MR. DUNBAR: Not necessarily.

MR. DENNISON: The Police Commission will administer it, and it will be very undemocratic, in certain localities.

THE CHAIRMAN: It being mow six of the clock, I do now leave the Chair.

At six of the clock the Committee took recess.

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At 8 o'clock p.m. the Committee resumes.

On Section 16:

MR. DENNISCN: On Section 16, if the hon. Minister (Mr. Dunbar) is not prepared to accept my motion to take out this restrictive clause, I am afraid I am going to have to vote against the whole section.

AN hon. MEMBER: Oh no.

MR. DUNBAR: That would be very bad.

MR. SALSBERG: Mr. Chairman, Section 16 which is before us now should be entirely removed. I am not speaking in support of the amendment; I have one of my own asking that it be removed entirely, for the following reasons; I am not opposed to granting the municipalities the right to regulate the use of loudspeakers in the streets and public places, but I, like a lot of other people in the labor movement, have had sad experiences with restrictions of this sort. I suggest the municipalities can restrict the use of loudspeakers under the Noise Abatement laws and regulations, and they have been resorting to it for many years, and if we are going to preclude the use of our public address' systems, I predict -- and I ask the hon. members of the House to notice this, that I am prepared to come back, whether I am inside or outside the House, and ask if my prediction has not proven correct -- but I predict if the right to restrict and regulate be granted, that in scores of municipalities it will be used almost exclusively against trade unions, labor and political groups, and in some localities against religious minority groups.

In the past, we have had the experience with By-laws which were enacted in the municipalities, which prevented

people from distributing hand-bills without a licence, and without permission. The difficulty, of course, was they never got their licences, and were prevented from distributing, unless they were professional distributors of hand-bills. I think that was the time when the hon. Minister of Labor (Mr. Daley) was the Mayor of his town, that charges were laid against the automobile workers who had assembled in front of McKinnon's, when the Union was endeavoring to unionize that industry. I remember that quite definitely. It reached a stage where it raised quite a great deal of disturbance. I do not know what happened. McKinnon was unionized, but in the early stages the union men had this by-law to overcome.

MR. DALEY: They just threw them all over the streets.

MR. SALSBERG: That has happened in score of municipalities. One recently in Court, where I think it was the C.C.F. member who was charged with distributing hand bills --

MR. JOLLIFFE: No, it was not a C.C.F. member. His Counsel was a C.C.F.

MR. SALSBERG: I am afraid if this right is granted, even with the amendment by the hon. member for St. David (Mr. Dennison), there will be plenty of room for such restrictions on Labour Groups and there will be a great outcry. It is not enough to say a Union has the right to use a public address system, when a vote under the Labor Relations Act is about to take place. It must be the right of the Union organizers use a public address system when they want to organize a plant, and get in front of the gate at the noon hour and talk to 3,000 or 4,000 or 5 thousand -- or even 500 men. They must be able to come to that plant everytime it is necessary, and there is

no crime committed, and there should be no violation of any law in so doing. There are occasions when Union officials want to come and discuss matters with the workers, and they want to use the public address system, and they should not be forced to have to seek permission to do so.

I can see where a religious minority group can be discriminated against, unless they get special permission. I do not think it is enough -- and I am referring to the amendment -- I think it is better than the Bill itself, but I suggest at the present time it should be permissible for any political group to be able to use a publicaddress system 30 days before an election.

I remember the time when people active in the labor movement used to go out every Saturday night and speak to the passers-by. The late "Jimmy" Simpson, one of the earliest socialist speakers in this town, did that for a year, and there was a time when he was arrested for attempting to speak in public at Dundas and Pacific Avenue, when he was attempting to address a public meeting concerning a political action. I was told once that unless I got away from that same corner I would be arrested, and I was, because I did not get away.

MR. FROST: Mr. Chairman, when this came up in the Municipal Law Committee, there was only 3 or 4 hon. members objected. As far as I know, we had no objection from any Labor Union or other body about this. This has been before us now for some days, and this licencing refers to loudspeakers or similar devices when used on the highway or public lands. After all, is that not a reasonable thing for a municipality to have control over? There are a number of cities which have asked for this, the City of Windsor, which is a large labor

city; has raised no objection.

After all, surely it is reasonable that a city or a municipality should have some control over that sort of thing. I do not think there was any intention to interfere with freedom of speech, but I think that municipalities have some right to object to the use of their streets and public parks for blaring out things which are really annoying to the people to a very considerable degree. That is the meaning of this Section. After all, our Municipal Councils are democratically-elected bodies, and I cannot imagine any Municipal Council which would object to a political or other party using these things, if they apply for permission to use them, and there seems to be a public need for a thing of that sort.

Actually, loudspeakers in towns and cities and other places are really a supreme nuisance when people want to use them as suggested here. I know at election time somebody came into Lindsay or Peterborough from some other part of the province with a sound truck, which has no relation to the campaign being conducted there, and proceeded to blare forth advice to the people in a loud and offensive way.

MR. MACLEOD: Has that been done in Lindsay?

MR. FROST: Yes.

MR. MACLEOD: Who are the offenders?

MR. FROST: I have no knowledge of who the offenders might be.

MR. DOUCETT: Ringling Brothers' Circus.

MR. FROST: I am sure the City of Toronto, the City of Windsor, the City of Galt, the City of London, and the City of North Bay are not going to ask for that sort of thing to use oppressively. I think it is a reasonable request

these municipalities have made, and, after all, why should not the municipalities have something to say about that type of nuisance, which wants to carry on in the streets, the public parks, and so forth, of these communities? There is nothing to be said for a political meeting, or a corner meeting, but there is something to be said against people wandering up and down the streets blaring out all sorts of nonsense. Surely. they have made a reasonable request.

MR. SALSBERG: The interjection by the hon. Prime Minister (Mr. Frost) is a very poor defence for the conditions, and I am sorry I cannot agree with him. Let us be frank about this. The hon. Premier (Mr. Frost) does not need a loudspeaker system in Lindsay. I dare say that he could address 5 or 10 people in Lindsay and get front-page billing, while other people may have to get 5,000 people together before they can get 10 lines. The rich must understand the difficulties of the poor sometimes, and the hon. Premier (Mr. Frost) should realize this is not as simple or as reasonable as he presents it. The fact is that any municipality can, under existing law, regulate noise, but to deny the use of the loudspeaker system to any political or any religious group, or trade union, which attemps to present its points of view to the neighbours or citizens of a community, the workers of Ontario, is not in the class of "noisemaking". It is not noisemaking.

AN hon. MEMBER: Do you want to shove it down their throats?

MR. SALSBERG: No, we want an opportunity to speak to them. Some people in politics can say nothing and have it appear in the papers. There was a speech delivered here last week, according to the newspapers, which I do not think

was delivered at all, and which hit a lot of people. Other people have to talk their lungs out to get even a line. Those who have the support of the millionnaire press, the papers with hundreds of thousands of subscribers, will go out of their way to present the points of view of a dominant group. You go up and find some "dumb cluck" of a candidate, and he will never get a word, but has to be elected by the Labor group, because you do not get anything from a newspaper, and you do not hurt your side by simply sitting here and interrupting others. That is part of the battle which the Labor representatives are fighting, and I say that any attempt to curtail these rights is not worth the support of this House.

As for controlling anything that makes a noise in a public place; that is all right. The municipalities have the right to do that. You have to listen, but you can tell any group which has a privately owned public address system, that they must have licence. I do not think that is necessary. I am not saying for half a moment that the hon. Premier (Mr. Frost) intended it to be so, but I say it may be.

Mr. Chairman, our experiences in the past, in this province and elsewhere have shown that such "nuisances", if you want to call them that, are used almost invariably against minority groups, and labor groups, and I do not think we should give any other weapons into the hands of any group in a community which will decide to put a union of loudspeaker system out of action, and to tell an organizer to get out of there, because he has no licence, and he cannot go down to a plant to address the workers. That is not shoving anything down anybody's throat; it is attempting to bring a reasonable and common

sense point of view to the workers, whom you cannot reach otherwise, because you have not the daily papers to support you, and have not the money to buy the costly advertisements, and that is the only way we can find to reach our fellow citizens by direct contact, by loudspeakers, public meetings, in squares, parks and on street corners, which was the first accomplishment for political free speech, and political labor representation.

I am afraid these will be used by an element which is unfavourable to labor and the Trade Unions.

MR. S.J. HUNT (Renfrew North): Mr. Chairman, reference was made to a campaign in North Renfrew. I have been there when these were going on, and when I was a candidate in North Renfrew, I used no loudspeakers, and the only public address system in use was when we had a meeting in the public armoury. The worst we had was when the hon. member for St. David (Mr. Dennison) came over there in his car equipped with a loudspeaker, and paraded up and down the streets on a Saturday morning, and if this Act does not accomplish anything other than to stop the hon. member for St. David (Mr. Dennison), we would be accomplishing something which is well worthwhile.

SOME hon. MEMBERS: Oh, oh.

MR. SALSBERG: It comes to a pretty pass when we have to defend the hon. member for St. David (Mr. Dennison). However, he has the right to go there.

MR. EAMON PARK (Dovercourt): Mr. Chairman, I know the hon. Prime Minister (Mr. Frost) has indicated it is not the intention of the government that any such licencing or regulatory activity by a municipal Council should be used to prevent the discussion of political issues at an appropriate time, and in an appropriate place. But I speak with experience

about this matter, arising out of the last Federal general election when, together with a number of other persons, which I think included the hon. member for Parkdale (Mr. Fell), and the new Federal member of the House of Commons for York South, , at the invitation of a group of workers at a factory in New Toronto, myself and one or two others turned up to discuss, during the noon hour, the issues in the Federal general election campaign, and the manager of the plant got in touch with the local police authorities, under the by-law in New Toronto about loudspeakers, and attempted to prevent us from discussing with these workers, at their invitation, the public issues that were before the electors of this country.

I told the Chief of Police that in that situation we did not care what he did, we were going to continue to discuss these matters, and we were not going to stop for him or anybody else, and he would have to run us all into the "hoose gow" --

MR. PORTER: That shows your respect for the law.

MR. JOLLIFFE: Has the hon. Attorney General (Mr. Porter) ever heard of the Election Act?

MR. PORTER: The hon. member (Mr. Park) said there was a by-law he was deliberately breaking.

MR. JOLLIFFE: We think the police were breaking the Election Act.

MR. PARK: The local police officer attempted to interfere with our right to discuss public issues, and I say to the hon. Attorney General (Mr. Porter) that nobody has the authority to stop the discussion of public issues during an election campaign, or any other time for that matter, and if the police attempted to stop us, it was pointed out to them

that they were in disrespect of the law.

MR. PORTER: You said you were deliberately breaking a by-law.

MR. PARK; It is stopping the freedom of speech, and nobody will stop me from discussing election issues in a campaign. There was a specific situation where the question of the use of loudspeakers was being abused by a local Police Commission to prevent the freedom of discussion of public issues. What we are doing in this proposed amendment is merely strengthening the right of those who would abuse the privilege of preventing people from speaking through loudspeakers on public issues, be they labor issues, or political issues.

If one has enough money to hire a helicopter, with a loudspeaker, they can go over any community in the province, and raise all the row they want to. What is to prevent any one who can hire a helicopter or an aeroplane with a loudspeaker from doing that? If he wants to attack the name of a candidate, across the face of the city, you cannot prevent him. What you do here is restrict an individual who has limited means, making it difficult for him to get to the general public, and the effect of the regulation, as I see it, willbe to prevent people from discussing public issues. I can well imagine there will be plenty of local municipal Councils, which have certain ideas, and which, due to their political prejudices, would want to prevent opposition political speakers from having their say, and yet you are placing in their hands the power to prevent the discussion of public affairs.

It seems to me the whole proposal is a retrogressive

one which does, in fact, undermine the freedom of speech, and there is no need for such a regulation as this. The municipalities, under the anti-noise by-law can take care of these, if they become nuisances, and if loud-speakers are nuisances, no one is asking the Councils to do otherwise than enforce their by-laws. This is a regulation which does not deal with nuisances, but it is aimed at the very basic issue of freedom of speech. If the hon. Minister of Municipal Affairs (Mr. Dunbar) is concerned about the representations made, or the discussions which went on with respect to the Windsor request, he would know that in Windsor it is perfectly true that the Municipal Council would not dare to refuse a labor organization the right to use a P.A. system; they would not dare, because the Municipal Council would not survive, if it did.

MR. FROST: In a moment the hon. Minister of Municipal Affairs (Mr. Dunbar) will give you the letters originating from the Council of the city of Windsor, and endorsed by a large number of municipalities. Does the hon. member (Mr. Park) think that a municipality should not have the right to regulate, even at election time, loud-speakers which go up and down the streets blaring all sort of things? Why should a municipality not have control over that? I cannot think for a moment that our democratically-elected Councils in this province are going to use this power oppressively. If they do, I am sure the people of the province will take care of them.

Surely the hon. member (Mr. Park) will not argue that the city of Windsor, for instance, should not have the power to control and regulate people -- including political

people who go up and down the streets endlessly blaring out all sorts of things on a loud-speaker, things which just simply weary the people. That is not freedom of speech. That is nonsense. That is inherent in the section.

MR. JOLLIFFE: And a lot more.

MR. PARK: The proposal here goes much farther than that. I would agree with the hon. Prime Minister (Mr. Frost), as a matter of fact, that the municipalities now have the right to regulate the question of nuisances, but I think they must maintain the right of freedom of speech. I would not suggest for one moment --

MR. FROST: Let us leave that for the municipalities to decide. Surely they can do that.

MR. PARK: The hon. Minister (Mr. Dunbar) raised the question of the municipality. I do not think the full implication was understood fully by the municipalities. I think they were thinking in terms of their own local municipalities. Each Council would say, "We would not do anything which would prevent freedom of discussion", but they did not think of what possibly other municipalities might say. It is our job to legislate not for the local circumstances, but for what might happen over the entire province of Ontario, and on that basis I think this proposed regulation is a bad one, and one which aims at the basic right of freedom of speech.

MR. DUNBAR: There are not only one or two municipalities, but there is Windsor, London, Hamilton, Welland, Galt, [illegible]loo and North Bay; surely the hon. member (Mr. Park) does not feel that the representatives of those municipalities had not thought of what they were presenting to me, and

they are not capable of thinking that this Legislature is so powerful, but that they must do what the municipalities tell them to do, and we will do it.

I will read this letter from Windsor.

(TAKE "BB" FOLLOWS)

It says:

"The Minister of Municipal Affairs,
Parliament Buildings,
Toronto, Ontario.

Dear Sir: Re: Operators of Advertising Loud-Speakers

The writer has been instructed---"

MR. SALSBERG: Oh, advertising.

MR. DUNBAR: Have you not had your say yet?

MR. SALSBERG: Well, not quite, sir.

MR. DUNBAR: Will you not permit, after all you have said, me to read this letter sent by the Clerk of Windsor?

MR. SALSBERG: I am merely emphasizing a word that you uttered.

THE CHAIRMAN: Order.

MR. DUNBAR: "The writer has been instructed by the City Council to write to you requesting your consideration of an amendment to the Municipal Act to permit Municipalities to license and regulate operators of sound-advertising loud-speaker contrivances. On February 1st, 1938 this City passed By-law Number 137 under the authority of section 405 of the said Act wherein it was provided that no person shall operate any such loud-speaker contrivance in the City until he had first obtained the permission of the Council so to do.

"The by-law does not require such persons to make application for the annual renewal of these permits and no fee is charged therefor. It is felt that if the Municipal Act permitted Municipalities to license and regulate operators of this kind some greater control could be exercised and the imposition of a proper license fee would tend to restrain the number of such operators. I might add that a resolution to this effect is presently being circulated among the principal Cities of the Province.

"I would appreciate receiving your comments on this matter at your earliest convenience.

Yours very truly,
J. E. Watson
City Solicitor"

That is from Windsor. The others are along the same lines.

MR. G. E. PARK (Dovercourt): Would the hon. Minister (Mr. Dunbar) permit a question -----No, go ahead, I am sorry.

MR. DUNBAR: Yes. Well, this is from Hamilton and this is along the same lines, asking for the legislation; and the other one is from Welland, as I have stated, and Stratford ---- that is one I had forgotten. And this one is from Galt. This is Hamilton.

MR. SALSBERG: They are all endorsing the Windsor letter, is that right?

MR. DUNBAR: There he goes again --- step on the button.

SOME hon. MEMBERS: Oh, Oh.

MR. SALSBERG: Are they endorsing the Windsor letter, or are they making separate demands?

MR. DUNBAR: This is Toronto, right in this great city. This is the City of London.

MR. A. A. MACLEOD: (Bellwoods); Would you mind reading that?

AN hon. MEMBER: None from Ottawa?

MR. DUNBAR: I may say we are never troubled with anything of that nature in Ottawa, I have never been on the radio, and I have got more votes by keeping off the radio. So many people complained they could not listen to the radio for people talking politics, so when I heard the people saying that, I made up my mind I would never go on the radio or by loud-speaker, and that is how I can run in a Liberal riding. Myrunning mate has been a Liberal since I started, but I secured a nine-thousand majority.

AN hon. MEMBER: Just wait till they get television, though, George.

SOME hon. MEMBERS: Oh, Oh.

MR. DUNBAR: You are not a nuisance because you do not build yourself up as a nuisance to the people, and they appreciate it. Now, if you do not take these municipalities seriously, I do. I think when they make a request of this nature, it is my duty as Minister of Municipal Affairs to place it before the Municipal Law Committee. I did so and it carried ---- I think four or five objected ----- but it carried in committee and the same objectors are here tonight.

MR. MACLEOD: Would you mind reading the Toronto letter?

MR. DUNBAR:

"At the meeting of City Council held on February 5th we decided to endorse a request from the City of Windsor for legislation amending the Municipal Act to permit municipalities to licence and regulate the operators of sound advertising, loud-speaker contrivances. When you are considering the request from the City of Windsor, therefore, this is to advise you that the Council of the City of Torohto approves its application for this legislation."

MR. SALSBERG: Alright, Mr. Chairman ---

AN hon. MEMBER: Sit down.

MR. FROST: In the matter of advertising, what is a political meeting but advertising?

MR. SALSBERG: That is correct, now, Mr. Chairman, we are getting some of the facts that were not given to the House or to the Committee before. We were told that so many municipalities asked for this. Having heard the letter from Windsor and now having heard the letter from Toronto, it is safe to assume all of the other letters from other municipalities consist of endorsations on the Windsor decision and the Windsor request, which is entirely different from that which is contained in the Bill. All Windsor and the other municipalities agreed to was to ask for powers to control, regulate loud-speaking advertising activities. Well, that is something that no one would argue against, but certainly sub-section five of section 16 does not say that. It grants them the right to control and regulate all loud-speaking equipment, no matter who it is used by.

I suggest that the hon. Minister of Municipal Affairs (Mr. Dunbar) should have informed the House a little sooner of the exact request made of him by these municipalities, and I would be wholly in favour of amending this to say that municipalities can control or should have the right to control and regulate advertising carried on through loudspeaking equipment, but that right shall not be extended to the rights of political parties, religious groups and trade unions or any other public body that wishes to address citizens on public issues through the medium of loudspeaking equipment.

MR. E. B. JOLLIFFE (Leader of the Opposition): Mr. Chairman, I think the first question that might be well asked when a proposal of this sort is made is whether the present legislation is inadequate. It always looked so to me ---and those who have asked for that legislation--and I think it is of interest to see what The Municipal Act now says about nuisances by way of noise.

As the hon. Minister (Mr. Dunbar) knows, the former section 405, now I believe section 388, paragraph 112, enables the council of any municipality, in the province,

to pass by-laws for prescribing or regulating the ringing of bells--

MR. DUNBAR: Yes.

MR. JOLLIFFE: The blowing of horns.

MR. DUNBAR: Yes.

MR. JOLLIFFE: That would be tough on the government.

SOME hon. MEMBERS: Oh, oh.

MR. JOLLIFFE: Shouting--

MR. DUNBAR: That would be tough on you.

MR. JOLLIFFE: That would be tough on me, yes. And on the hon.Minister of Municipal Affairs (Mr. Dunbar).

MR. DUNBAR: You will have to consult your lawyer about that.

MR. JOLLIFFE: Shouting and unusual noises.

MR. DUNBAR: Yes. That is you. Consult your solicitor.

MR. JOLLIFFE: Or--and this, I think, is the important phrase---"or noises calculated to disturb the inhabitants."

Hon. LESLIE M. FROST (Prime Minister): Well, isn't this section all along that line?

MR. JOLLIFFE: No, I am just coming to that. This section goes a good deal further, and I now raise a question---but

before I do, may I say that in my view any municipality that will go to the trouble of drafting a by-law that is a legally sound by-law under the provisions of this paragraph need have no difficulty in regulating noises calculated to distrub or annoy the local inhabitants.

That was the purpose of the thing, and personally I am very much in favor of the paragraph which I have just quoted. I think it is needed and I think there is a tendency in this high-powered age for certain people to make use of the noisiest media without due regard for the comfort of the local inhabitants.

Now we have the section before the House, I am wondering, Mr. Chairman, if sufficient consideration has been given to the relation of this matter to our election law. You see, the point which arises in the case the hon. member for Dovercourt (Mr. Park) mentioned is whether a local police force or any local council is legally justified in attempting to interfere with campaigning at election time. I do not think their case would have stood up in court, which is probably why they did not proceed with it. I have had some experience in this matter too, because I have successfuly defended minority groups who sought to use loudspeaking apparatus where the local council was hostile to them.

May I say, Mr. Chairman, that it is not quite good enough to leave the discretion in these matters entirely to the municipality. We had two very large municipalities in Vancouver and in the city of Ottawa not many years ago. The city of Vancouver attempted to enforce a by-law restricting the distribution of literature, and that particular case went as far as the Supreme Court of Canada, where the Vancouver city by-law got a very rough ride. I have forgotten the name of the case,

but I could get it. More recently an appeal by the city of Ottawa was decided by the Court of Appeal of Ontario, and it also got a rough ride there.

I am not prepared to concede that the citizens' rights in the battle of free speech, freedom of assembly and the like should be left to the discretion of the municipalities, I think this Legislature has a responsibility to defend those rights when they are occasionally overlooked, not a local body which is thinking only in terms of local problems.

For my part, I have a gr t deal of sympathy with those who want to restrain the use of loud speaking apparatus, but I think we should hesitate to give such blanket powers to the municipalities when we know, Mr. Chairman, those of us who have had experience, that in some cases it will be used for the purpose of silencing certain activities at election-time -- and I refer not only to Provincial elections, but to plebiscites, liquor votes, labour certification votes and the like, I think such rights should be protected at such times. I want to point out that not all the media open to commercial advertising are open to people taking part in an election campaign. An election campaign is an ephemeral thing, in the matter of propaganda anyway, and halls may not be available, billboards may not be available, may be all taken up by the show people; some groups in particular will find it difficult to communicate with the public unless they can use public address systems.

I doubt if this legislation has had adequate consideration. The hon. Minister (Mr.Dunbar),

I am sure does not like half-baked proposals to amend The Municipal Act, I would like to ask him to give me his advice in this regard. During the last election, in the Toronto area, the Liberal party made very generous use of loud-speaking equipment, an airplane, and also a helicopter. The constituency I represent was canvassed from the air by helicopter. The helicopter passed over a number of different municipalities, I have no doubt it passed over the city of Toronto which is no part of the riding, as well as York Township and Forest Hill Village. The constituency represented by the lady who sits on my left (Miss MacPhail) was also subjected to Liberal Propaganda, or I might call it a "raid from the air." In that case the propaganda was emitted over such municipalities as Leaside, East York, Scarborough, and Markham Township. Now, does the Hon. Minister (Mr. Dunbar) think that a by-law purporting to regulate the use of loud speaking equipment under this section would cover the case of a helicopter broadcasting shall we say over the York East Riding? A by-law might perhaps be passed in Leaside and not in East York, it might be in effect in Scarborough in somewhat different language, but not in Markham Township -- just where would the unfortunate Liberals stand under the provisions of such by-laws if they are campaigning against the hon. lady to my left (Miss MacPhail)?

Now I am wondering if problems of this kind have been taken into consideration. I think the Hon. Minister's (Mr. Dunbar) legislation will lead to a lot of rather expensive and pointless litigations. I do not

think it is good enough.

I would like to hear what the Hon. Minister (Mr. Dunbar) has to say about the effects of Paragraph 112 in Section 388 -- what is wrong with that? What is wrong with the present law if a municipality for legitimate reasons wishes to restrict undue noise caused by loudspeaking systems?

Let me make another point. The Hon. Prime Minister (Mr. Frost) has stressed the emissions of noise from trucks travelling up and down the highway. Now this amendment goes much further than that. This amendment relates not only to those going up and down the highway, but to those on a highway, and public lands or on land adjacent to public lands "or when emitting sound thereto". Now, it is not very well drawn, it is not very clear, it is certainly ambiguous and I think it is very arguable whether it could be applied to the case of an airplane or helicopter. I would appreciate having the benefit of the Hon. Minister's (Mr. Dunbar) views about the airplane, about the helicopter, about the present law and about the enforcement of this thing as against airplanes or helicopters when over a municipality which enjoins a municipality where there is a by-law in effect.

Can the Hon. Minister (Mr. Dunbar) give the answer to these problems now?

MR. DUNBAR: No, I am afraid I can only give you an answer which might not be satisfactory to you. I might say that airplanes, of course, are not controlled by the pr[illegible], the air, as far as airplanes are concerned,

is a federal matter. If any person complained to the federal government, to the Transport Board, or whoever is in charge , , I think that they would proceed to make a satisfactory investigation, and it would be stopped. I never found the federal government was arbitrary or unreasonable.

MR. JOLLIFFE: Then just before we leave this point, will the Hon. Minister (Mr. Dunbar) agree with me on this? If it is the Hon. Minister's (Mr. Dunbar) opinion this would not apply to an airplane or helicopter, then are you not simply pressing people who want to use this sort of noisemaking apparatus to go up into the air and use an airplane or a helicopter? Is it not going to lead to a great increase in that sort of thing?

MR. DUNBAR: No, I would not think so. I do not know how people take their elections so seriously that they take to the air in that way.

SOME. HON. MEMBERS: Oh, oh.

MR. JOLLIFFE: Well, it was the Liberals.

MR. DUNBAR: Goodness, I cannot understand it.

AN HON. MEMBER: It was not very successful.

MR. JOLLIFFE: I would point out to the Hon. Minister (Mr. Dunbar) it was the Liberals who were up in the air.

SOME HON. MEMBERS: Oh, oh.

MR. DUNBAR: Why cannot they keep their feet on the ground and ride around and talk to the people who elect them? They do not find them up in the air.

MR. W. DENNISON: (St. David): Mr. Chairman --

SOME HON. MEMBERS: Here we go.

MR. JOLLIFFE: What about my other question?

MR. DUNBAR: What other one?

SOME HON. MEMBERS: Oh, oh.

MR. JOLLIFFE: Well, what does the Hon. Minister (Mr. Dunbar) think about the present law? What is wrong with the present law?

MR. DUNBAR: I do not think it would cover loud speakers.

AN HON. MEMBER: It covers noises.

MR. DUNBAR: It would have to be very noisy. That is splitting hairs.

MR. FROST: Trust the municipalities. There is no use splitting hairs.

MR. DENNISON: Mr. Chairman, the municipalities at the present time are able to regulate loud speakers if they make a noise disturbing anybody.

MR. JOLLIFFE: Yes, they do.

MR. DENNISON: Now, I had an experience a number of years ago. I was charged in Toronto --

MR. FROST: You are the principal offender.

AN HON. MEMBER: I hope they put you in jail.

THE CHAIRMAN: Order.

MR. DENNISON: I want to tell the Hon. Minister of Municipal Affairs (Mr. Dunbar), because I think they have all the power they need at the present time.

MR. PORTER: Could they not get you in jail? Did they lose the case?

MR. DENNISON: Inspector Lumley of No.4 Police Station found me operating one Saturday evening at the

corner of Seaton and Queen Streets, and he said, "Dennison I want that stopped. I want you to shut that machine off."

SOME HON. MEMBERS: Oh, oh.

THE CHAIRMAN: Order.

MR. DENNISON: I said, "Am I breaking any law?" He said, "I am the law." "Well," I said to him, "All right, if I am breaking any law, issue a summons," and so he did. I appeared in court next Monday morning, I engaged my hon. friend, the Leader of the Opposition (Mr. Jolliffe) to defend me.

MR. J. B. SALSBERG (St. Andrews): What a job.

MR. DENNISON: And the case proceeded. Well, I got the people living around the district to come down to the court to swear that the noise made by this loud speaker did not disturb them.

MR. PORTER: You got them to swear that? How did you get them to swear to that?

MR. DENNISON: The police Inspector called in another policeman, and the policeman testified he was four blocks away and he heard Dennison speaking on this corner, and that there was a terrific noise.

AN HON. MEMBER: There would be.

SOME HON. MEMBERS: Oh, oh.

THE CHAIRMAN: Order.

MR. DENNISON: And he heard this noise that disturbed the whole community. The inspector called another policeman and he swore he was six blocks away and he heard the noise and he rushed down and he said he saw Dennison on a soap box on this corner using this loud speaker disturbing the whole community. The Inspector called another policeman, he was ten blocks away and he had

heard me and he rushed down and he swore that he was disturbed. Well, my lawyer said to the judge: "Your Honour, it is evident that there were no citizens or voters disturbed, or any ratepayers, etc."

MR. PORTER: That is where you get all the information about the deaf, is it?

MR. DENNISON: And the inspector admitted there were no ratepayers who had complained, so my lawyer said, 'Well, your Honour, there is no law against dis-disturbing a policeman."

SOME HON. MEMBERS: Oh, oh.

MR. DENNISON: And the judge -- or it was a magistrate, rather, dismissed the case.

SOME HON. MEMBERS: H ear, hear.

MR. DENNISON: Now, I think that is a fair situation, a situation where you put the people or the operator of a loudspeaking device on his honour not to disturb the people, not to disturb the public. It does not matter about the policeman, apparently, but not to disturb the populace, but that is the law to-day and I think that is all the law any city needs. The Hon. Prime Minister (Mr. Frost) says that this thing disturbed the people up in Lindsay a good deal, but I doubt very much if any political party, be it Liberal, Conservative or C.C.F., would disturb people who are potential voters.

MR. PORTER: Well, it was --

MR. DENNISON: I think we would all use common-sense in the use of those machines at election time.

MR. PORTER: You have never shown any common sense yet.

MR. DENNISON: And this not only gives the authority that is asked, but it limits the authority in the municipal, provincial and federal elections. Surely we have a responsibility here to see that no candidate running for office is deprived of his right to free speech, or his right to talk to his electors, whether he be a rich or poor man. As the Hon. Leader of the Opposition (Mr. Jolliffe) says, if this is passed it will affect halls adjacent to the highway.

That means you could not have a loud speaker in a hall with a window open anywhere in this province, if all municipalities passed a by-law under this section. This will apply to halls, to lots adjacent to a highway and all the radio stores, which have music playing out on the streets, will be affected.

I say that we should consider this very, very carefully before we pass it. Do not forget it is not long ago in this province of Ontario when we did not have free speech in the city of Toronto. I can remember when the Ferguson Government was in power in the province of Ontario and the unemployed people of this city could not hold a public meeting in Queen's Park without the police --

MR. PORTER: You mean the Hepburn government.

MR. DENNISON: ... rushing in and beating them up. This was during the Ferguson Government and then during the Henry Government. After "Mitch" Hepburn got in, he changed the representation of the Police Commission and that sort of thing stopped.

SOME HON. MEMBERS: Hear, hear.

MR. DENNISON: We enjoyed free speech for the first time in years. But under the Ferguson Government and under the Henry Government there was no such thing as a street-corner meeting permitted on a public issue on any street corner or in any park in Toronto.

Now, some Tories do not like opposition. They do not like to have other people given the right to stand up and attack them in public. They want to suppress it. You know, there is a very suppressive streak in the Ontario Tory Party any time it feels impelled to come to the surface.

MR. PORTER: Not in this House.

MR. DENNISON: In the present House you are not as strong, you cannot be as cocky as you were, but there was a time in this province when the Tory party was pretty cocky and was determined, to and in fact did suppress free speech in the province of Ontario.

MR. SALSBERG: Mr. Chairman, a question. Would you permit a question, honourable sir?

MR. DUNBAR: Oh, yes.

MR. SALSBERG: My question is, if this subsection is intended to meet the request of a few municipalities to gain the right to licence and regulate loud-speaking equipment used for advertising, would the Hon. Minister (Mr. Dunbar) agree to put after the word "used" on Line C the words "for advertising and other commercial purposes".

MR. DUNBAR: No. That is not what they asked for.

MR. SALSBERG: Now you are revealing your hand.

MR. DUNBAR: I would just like to say to the hon. member (Mr. Dennison) when he mentioned having a run-in with the policeman, I was awfully pleased to hear that you cleared yourself and say that the case was dismissed, because after all, I would not like to think of a Dennison from North Renfrew ever being in the clutches of the police. They have all been law-abiding citizens, and I was surprised when you were talking along those lines, that you had a run-in with a policeman.

I might have been wrong, but I understood the hon. member from North Renfrew (Mr. Hunt) to say that you go there during the year and you see there are a lot of people manufacturing and selling honey there, and you go up and down the street "buzzing" about your honey. You were talking about the poor labour man.

SOME HON. MEMBERS: Oh, oh.

AN HON. MEMBERS: No good buzzing about somebody else's honey.

MR. DUNBAR: You were selling your honey and the others could not get a market.

MR. DENNISON: Mr. Chairman, that is the first time I ever heard a Tory Cabinet Minister describe a C.C.F. program as "honey."

SOME HON. MEMBERS: Hear, hear.

MR. PORTER: Well, that is about all the substance there is in it.

MR. JOLLIFFE: Might I ask the Hon. Minister (Mr. Dunbar) if he has given all the requests of the municipalities the same speedy acquiescence they received in this case?

MR. DUNBAR: Oh, yes, but it takes time. We get letters, not from only one municipality perhaps, but wedo as a rule..

MR. JOLLIFFE: Would the Hon. Minister (Mr. Dunbar) like to table all the letters he has had from municipalities asking for changes in legislation this year? Would that not be a good idea? Would the Hon. Minister (Mr. Dunbar) table those letters?

MR. DUNBAR: Now, you are sincere? You have got a responsibility, too.

MR. JOLLIFFE: I am perfectly serious.

MR. DUNBAR: Yes. Now you have a responsibility. Now, some of them write to me and send their resolution, saying they want the provincial government to pay one-third of the sewers and water mains, filtration plants and sewage disposal plants throughout the Province of Ontario, and I know that Toronto, Hamilton and Ottawa and a few of the cities would take 90% of the money. Do you think I would be doing my duty as Minister of Municipal Affairs to bring that before the Committee and recommend it? No. There has got to be reason to these things.

MR. JOLLIFFE: No, Mr. Chairman. I think the Hon. Minister (Mr. Dunbar) of course has to use his good judgment about the letters that he decides as being good advice. I still think it would be well for the Hon. Minister (Mr. Dunbar) to table all the letters he has received asking for changes in legislation from the municipalities. Would the Hon. Minister (Mr. Dunbar) be willing to do that?

MR. DUNBAR: Well, of course the mayors and reeves call at my office and the Ontario Municipal Board and the rural municipalities, they have an organization, and the assessors for organizations, all these call in my office and we discuss them and there are a lot of things which after the discussion they admit would not be workable, and so on.

We might have correspondence, but I do not think I should be asked to table that.

MR. JOLLIFFE: I would not want any of the mayors and reeves tabled, but I think the letters should be tabled.

SOME HON. MEMBERS:Oh, oh.

MR. JOLLIFFE: Because the Hon. Minister (Mr. Dunbar) is relying heavily on letters in this case.

MR. W. J. GRUMMETT (Cochrane South): Mr. Chairman, two or three times to-night the hon. Minister (Mr. Dunbar) has been asked for an explanation of the last two lines or an interpretation of the meaning of the last two lines and he has made no attempt whatsoever to give that interpretation. I believe that would limit the use of loudspeakers in a hall. No matter whether the window was open or not, the loudspeaker could not be used in the hall.

MR. DUNBAR: I would say that that means adjacent land to -- vacant lots and parks along land bordering on the highway. Adjacent lands, that is all the meaning I can take of it.

MR. GRUMMETT: "Or lands adjacent thereto."

MR. FROST: Well, I think the point is that it is

quite obvious that the purpose of this section so far as the municipalities are concerned, could be defeated by someone using land adjacent to the highway or adjacent to the park. The purpose is just this, to give to the municipalities the power to regulate -- and, remember this, that a by-law cannot discriminate against one political party against another.

AN HON. MEMBER: Licencing by laws can.

MR. FROST: The by-law cannot say that the Liberals can do this and the C.C.F. cannot do it. Actually speaking, regulatory by-laws treat everybody in an equal way.

AN HON. MEMBER: The Liberals can afford those airplanes.

MR. FROST: On the other hand, that of course is one of the complications of our situation, but I cannot imagine there would be very much of that sort of thing. I think the main thing, the nuisance, met was very well explained by the Hon. Member from St. David (Mr. Dennison) in his case. If I needed to be convinced about this section, the hon. member for St. David (Mr. Dennison) completely convinced me, because what happened was that he was obviously committing a nuisance in that community.

SOME HON. MEMBERS: Oh, no.

MR. FROST: And they took action, and he got a lawyer. The Hon. Leader of the Opposition (Mr. Jolliffe), I understand, was his counsel.

MR. JOLLIFFE: That is right.

MR. FROST: And he went down there and showed that the present section is not adequate to meet the situation at

all. In other words, the hon. member for St. David, (Mr. Dennison) could go down and make all the noise he wanted to and it was very difficult for the municipality to cope with that. T herefore the hon. member for St. David (Mr.Dennison) got off. That convinces me that there is a s trengthening of that section needed. I do not think myself it has anything to do with freedom of speech at all, it has to do with the use of means of torturing our already oppressed citizens in this province. Now I am quite sure of this, that our municipalities and municipal councils will be very careful in the handling of this matter. I could quite imagine my hon. friend the member for Windsor (Mr. Ellis) on the Board of Control in Windsor being most careful to administer a by-law, when they pass it, in a way that will be in the interests of all of their citizens.

MR.JOLLIFFE: In that city, they will.

MR. SALSBERG: That is because they have a good mayor.

(Take CC follows)

I think that this is for the greatest good for the greatest number of people. I think we can well leave this to the elected representatives of the various communities. I am sure they will handle it well and I think the fears some of the hon. members have expressed will be entirely dissipated by the operation.

MR. JOLLIFFE: The hon. Prime Minister (Mr.Frost) has put it very neatly in his reference to the case the hon. member for St.David (Mr. Dennison) mentioned. In that case, or, in fact, as the magistrate decided, there was no evidence that any member of the public was being disturbed. For that reason the charge failed. On the other hand the purpose of this amendment it is now clear, is to make it possible for public address systems to be stopped whether or not any member of the public is being disburbed, even though nobody may be disturbed and even though there is no evidence that a single citizen has been disturbed or has complained. The purpose of this is to rectify the omission in the previous case where it appears there was no evidence any member of the public had actually been disburbed. This will enable the public address system to be stopped if any officious officer decides it should be stopped.

MR. FROST: No. They would take steps to license, regulate and govern. That would be the purpose of the by-law. It would apply evenly to everybody. I do not think there would be any injustice done at all.

MR. JOLLIFFE: The hon. Prime Minister (Mr. Frost) has not dealt with the language here. Even though he is wedded to the principle of these things, I think he should

reconsider the language. It has gone a long way. It refers to loudspeakers, or similar devices, when used on a highway or when emitting sound thereto.

MR. GRUMMETT: Or, on lands adjacent to.

MR. JOLLIFFE: At the moment I am interested in the wording of it "emitting sound thereto". I submit that applies in the case of a public address system in use in a hall which is located on a highway. It will have to be licensed. If it is not licensed at the whim of some local bureaucrat the meeting may be stopped. I further suggest and I hereby give notice that if any attempts are made through the use of legislation towards restricting the holding of perfectly lawful meetings at the time of a provincial or of a Federal election, this thing will be tested in the courts, and I think it will come out just as badly in the courts as did the Ottawa case or the Vancouver case. I think certain municipalities are going to be made to look very foolish and so are the sponsors of this legislation.

Amendment negatived.

MR. J. B. SALSBERG (St.Andrew): On subsection 5 of section 16, I wish to move an amendment. My amendment is that subsection 5 of section 16 of Bill No.127 be deleted.

A word on the amendment. The amendment differs from the one which was defeated by the combined vote of the Conservatives and Liberals in that it seeks to eliminate the section entirely rather than amending it. I will not speak on the question for any length of time. I want to reply to what the hon. Prime Minister (Mr.Frost)

has said, that the law is not meant to discriminate against any party or any group, that it is legislation which will apply to all parties and to all groups alike. May I remind the hon. Prime Minister (Mr. Frost) that a certain French writer name Anatole France has a very excellent piece on that. He speaks about the equality which exists in capitalist society and he says the law is made for the rich and the poor alike. For instance, there is a law that no one can sleep under the bridges, but, he says, who ever heard of a rich man going to sleep under a bridge; it is only a homeless, and a poor man who goes to sleep under a bridge because he has no home. That applies very well to this type of legislation which the hon. Prime Minister presents as being above party, above group and above class. It is legislation which, if applied in municipal life, will result in the curbing of the elementary rights of labor groups, minority religious groups, such as the Salvation Army and others, and public bodies which are not rich enough to command publicity or who cannot afford to put paid advertisements in the press. For that reason I think this proposed legislation should not be enacted. It is not in accord with what our municipalities have asked. This government is utilizing a limited request for putting on the statute book legislation which will be used, as was the case in St.Catharines which I mentioned before in regard to distribution of handbills, which will be used against unions and labor groups. I think the best thing we can do for the people of this province is to delete it

entirely and get rid of it.

Amendment negatived.

Sections 15 to 26 inclusive agreed to.

Bill reported.

Hon. LESLIE M. FROST (Prime Minister): Order No.15

CLERK OF THE HOUSE: 15th Order; House in Committee on Bill No. 152, "An Act to approve an Agreement between Canada and Ontario respecting the Development of the Niagara River." Mr. Challies.

Sections 1 to 3 agreed to.

Bill No. 132 reported.

Hon. LESLIE M. FROST (Prime Minister): Mr.Chairman, I move that the Committee rise and report certain Bills with amendments.

Motion agreed to.

The House resumes; Mr. Speaker in the Chair.

MR. T. L. PATRICK (Middlesex North): Mr. Speaker, the Committee of the Whole begs to report certain Bills with amendments, and moves the adoption of the report and begs leave to sit again.

Motion agreed to.

Hon. LESLIE M. FROST (Prime Minister): Third Readings, Order No. 1.

THE HIGH SCHOOLS ACT

CLERK OF THE HOUSE: 1st Order; Third Reading, Bill No. 100, "An Act to amend the High Schools Act." Mr. Porter.

Hon. DANA PORTER (Minister of Education): Mr. Speaker, I move third reading of Bill No. 100, "An Act

to Amend the High Schools Act."

Motion agreed to; Third Reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be entitled as in the motion.

Hon. LESLIE M. FROST (Prime Minister): Order No.2

THE GAME AND FISHERIES ACT

CLERK OF THE HOUSE: Second Order: Third Reading, Bill No. 130, "An Act to Amend the Game and Fisheries Act". Mr. Scott (Peterboro).

Hon. W. A. GOODFELLOW (Minister of Public Welfare): Mr. Speaker, in the absence of Mr. Scott, I move Third Reading of Bill No. 140, "An Act to amend the Game and Fisheries Act".

Motion agreed to; Third Reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be entitled as in the motion.

MR. FROST: Order No. 3

THE PUBLIC LANDS ACT

CLERK OF THE HOUSE: 3rd Order: third reading, Bill No. 131, "An Act to amend the Public Lands Act." Mr. Scott.

Hon. W. A. GOODRELLOW (Minister of Public Welfare): Mr. Speaker, in the absence of Mr. Scott, I move third reading of Bill No. 131, "An Act to amend the Public Lands Act".

Motion agreed to ; third reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be entitled as in the motion.

Hon. LESLIE M. FROST(Prime Minister): Order No. 4.

THE HIGHWAY IMPROVEMENT ACT

CLERK OF THE HOUSE: 4th Order; third reading, Bill No. 93, "An Act to amend the Highway Improvement Act". Mr. Doucett.

Hon. C. H. DOUCETT (Minister of Highways): Mr. Speaker, I move third reading of Bill No. 93, "An Act to amend the Highway Improvement Act."

Motion agreed to; third reading of the Bill.

MR. SPEAKER: Resolved that the Bill do now pass and be entitled as in the motion.

Hon. LESLIE M. FROST(Prime Minister): Mr. Speaker, there are a few second readings of Bills which are non-contentious which we might advance to committee stage. If there is any discussion required I will hold them over.

Order No. 18.

CLERK OF THE HOUSE: 18th Order; second reading Bill No. 135, "An Act to amend The Escheats Act.", Mr. Porter.

Hon. DANA PORTER(Attorney-General): Mr. Speaker, I beg to move second reading of Bill No. 135, "An Act to amend the Escheats Act."

Motion agreed to: second reading of the Bill.

Hon. LESLIE M. FROST (Prime Minister): Order No.19.

THE LAW SOCIETY ACT

CLERK OF THE HOUSE: 19th Order; second reading, Bill No. 136, "An Act to amend the Law Society Act". Mr. Porter.

Hon. DANA PORTER (Attorney-General): Mr. Speaker, I beg to move second reading of Bill No. 136, "An Act to amend the Law Society Act."

Motion agreed to; second reading of the Bill.

Hon. LESLIE M. FROST (Prime Minister): Order No.20.

THE MINING ACT

CLERK OF THE HOUSE: 20th Order; second reading of Bill No. 137, "An Act to amend the Mining Act." Mr. Gemmell.

Hon. W. S. GEMMELL (Minister of Mines): Mr.Speaker, I beg to move second reading of Bill No. 137, "An Act to amend the Mining Act."

Motion agreed to; second reading of the Bill.

Hon. LESLIE M. FROST (Prime Minister): Order No.21.

THE COMMUNITY CENTRES ACT

CLERK OF THE HOUSE: 21st Order; second reading, Bill No. 138, "An Act to amend the Community Centres Act." Mr. Kennedy.

Hon. DANA PORTER (Attorney-General): Mr. Speaker, in the absence of Mr. Kennedy I beg to move second reading of Bill No. 138, "An Act to amend the Community Centres Act."

Motion agreed to; second reading of the Bill.

MR. W. DENNISON(St.David): Mr. Speaker, I would like to draw the attention of the government to a complaint I have received from North Renfrew in regard to the operation of the Community Centres Act.

MR. FROST: We could discuss that with the

Committee, if it is all right with the hon. member for St.David (Mr. Dennison).

MR. DENNISON: Very well.

Hon. LESLIE M. FROST (Prime Minister): Order No.22

REGISTRATION OF NURSES

CLERK OF THE HOUSE: 22nd Order; second reading, Bill No. 139, "An Act respecting the Registration of Nurses". Mr. Phillips.

Hon. M. PHILLIPS (Minister of Health): Mr. Speaker, I beg to move second reading of Bill No. 139, "An Act respecting the Registration of Nurses".

MR. E. B. JOLLIFFE(Leader of the Opposition): Mr. Speaker, I do not wonder that the hon. Minister (Mr. Phillips) may not wish to speak on second reading. He did explain this Bill on first reading. It is a Bill which I personally welcome because for some years I have been hoping the government would do this and for some years I have been hoping the government would do this, and for some years the nurses have been hoping against hope that the government would do this or something of this kind. The Bill does, I think, mean that the profession-- should I say this Bill and the companion Bill -- will acquire a new and I think better status in the province of Ontario. Whether they go far enough remains to be seen. I want to take this opportunity of saying something with respect to which I think the hon. Minister (Mr.Phillips) will probably agree, namely, that it is very necessary to raise the status and the remuneration of the nursing profession in Ontario. Only last night, Mr. Speaker --

Hon. LESLIE M. FROST (Prime Minister): Mr. Speaker, might I say if the hon. Leader of the Opposition (Mr. Jolliffe) desires to make any extended remarks, and I do not wish in any way to limit him, we can hold this second reading over.

MR. JOLLIFFE: I think I would prefer to get them over over. I am not going to go deeply into the principle with respect to this matter, but I do think, because I have felt this way for many years now, that I should not lose this opportunity to say how important it is to raise the status of the profession and the remuneration of the profession. There may be an impression abroad because of the prevailing rates for nurses who live as private nurses in a city like Toronto, where I believe the standard rate now is $10. a day for an eight-hour shift, that the nursing profession are getting well paid. But, Mr. Speaker, I have come upon some figures which I think I should pass on to the House. I think the hon. Minister (Mr. Phillips) is going to agree that the situation is pretty serious. The standard of treatment and remuneration in the nursing profession have become so low that we have developed a sad shortage. Only last night I happened to look at the February and March issues of The Canadian Nurse, a magazine. In the columns of that magazine which carried advertisments for employment, asking for positions and advertisements offering employment to nurses, we have these figures. With respect to the February number of Canadian Nurse, there were 45 advertisments offering employment to nurses. Some of those advertisements offered [illegible]ent to a number of nurses. There were 35 adver-

tisements for nurses and there was one advertisement by a nurse seeking employment. The 45 did not include dietitians or science instructors, or others who are not registered nurses. In the March number of the Canadian Nurse there were 51 advertisements inviting applications for employment; there were no advertisements by nurses seeking employment. Those figures are simply given as an example which indicates the extent to which the shortage has risen with respect to this profession. The advertisements were even more illuminating than the figures because of the salaries offered. The salaries offered for professional women who have had years of training were of the order of $135. a month and maintenance; $125. a month and maintenance, or even less. That situation obtains with respect to the employment of professional women with years of training; whose standards must, necessarily, be high. I think those figures, in themselves, would justify a new approach to the profession in Ontario. We have done a great deal in recent years to bring up the standards and the remuneration of the teaching profession. May I say to the hon. Minister (Mr. Phillips) now -- and he knows it is a fact -- that the remuneration of the teaching profession in Ontario is much higher than that of the nursing profession. If the wide differential continues to exist we will have even more difficulty getting young women to go into the nursing profession than we have experienced in the past.

If I may take an example of the cases of two young ladies of the same age, one of whom qualified as a registered nurse and took post-graduate training in her

subject, the other of whom qualified as a high school teacher, we find of those two today, the nurse carrying on in a small Ontario town, the teacher carrying on in another small Ontario town of the same size. The teacher happens to be getting $3000. a year, and the nurse, employed a public body, is employed at a salary of about $2200. a year. Two girls of the same age with approximately similar training requirements;

I simply mention these things without going into further details or going deeply into the principle of the Bill, because I want to emphasize the great importance of raising the standard in connection with this profession.

Motion agreed to; second reading of the Bill.

Hon. LESLIE M. FROST (Prime Minister): Order No.23.

AN ACT RESPECTING NURSING

CLERK OF THE HOUSE: 23rd Order; second reading, Bill No. 140, "An Act respecting Nursing". Mr. Phillips.

Hon. M. PHILLIPS (Minister of Health): Mr. Speaker, I beg to move second reading of Bill No. 140, "An Act respecting Nursing".

Motion agreed to; second reading of the Bill.

Hon. LESLIE M. FROST (Prime Minister): Mr. Speaker, I move that you do now leave the chair and that the House resolve itself into the Committee of Supply.

Hon. W. S. GEMMELL (Minister of Mines): With the permission of the House I would like to ask that the meeting of the Mining Commission be postponed until Friday morning because it would be more convenient to the hon. members of the House. I would like to have it

adjourned until then instead of meeting tomorrow morning.

MR. JOLLIFFE: With respect to the motion, would the hon. Attorney-General (Mr. Porter) indicate if it is still intended to hold a meeting of the Election Law Committee tomorrow morning?

Hon. DANA PORTER (Attorney-General): It has been called. There is a notice on my desk.

MR. JOLLIFFE: I did not see mine.

MR. PORTER: I have every intention of proceeding, yes.

Motion agreed to.

The House in Committee of Supply; Mr. T. L. Patrick (Middlesex North) in the Chair.

On vote 155.

MR. A. A. MacLEOD (Bellwoods): Are we not going to have a statement from the hon. Minister of Public Welfare (Mr. Goodfellow) before we get down to consideration of the various votes?

Hon. W. A. GOODFELLOW (Minister of Public Welfare): Mr. Chairman, I had proposed to make a statement but I thought perhaps for the information of the hon. members, in as much as no doubt every item in the Estimate will be fairly well covered in discussion, it might be better if we were to leave my remarks until the general discussion of each of the items in connection with the different branches of the Department, if that is satisfactory to the hon. member for Bellwoods (Mr. MacLeod).

MR. W. H. TEMPLE (High Park): I have a few general remarks I would like to make about the Department of Welfare.

Perhaps if I were to make them now and referred to individual items later, it might be well.

I would like to say to the hon. Minister of Public Welfare (Mr. Goodfellow) that I think he enjoys the confidence of all hon. members of the House. I would also like to say that his Deputy and his officials also to a very great degree enjoy the confidence and respect of all hon. members of this House. I would like to mention especially, if I might pick out one man, because I have had more todo with him than with any other member in this particular Department, namely, the Chairman of the Pensions Board, Mr. Ashbury. I have found that on every occasion he has done his utmost to look after the interests of the old age pensioner and, within the limits of the regulations, he has done his very best to take care of our senior citizens who are drawing pensions from the Department. I would like to make one observation in connection with this, and that is that it does seem to me that the highest form of service is the public service. I think this applies particularly to the Department of Welfare where we have a large number of skilled social workers and skilled workers of all types who are dealing with the people in our province who are unfortunate, who are handicapped in various ways and who come to the province for assistance.

THE CHAIRMAN: I would ask the hon. member for High Park (Mr. Temple) to stick to vote 155.

MR. TEMPLE: I am speaking to the vote. I am going on to the hon. Minister's (Mr. Goodfellow) salary and the

general aspects of his position.

Mr. Chairman, I was about to say that one of the things I have noticed about this Department is that the government is very, very enthusiastic about payments to our old age pensioners and recipients of assistance from the Welfare Department just so long as someone else is paying for it. The hon. Prime Minis ter (Mr. Frost) on several occasions has lent enthusiastic support to the old age pensions scheme without a means test just so long as Ottawa was paying the bill. However, when it comes to assisting those old age pensioners by payments out of the provincial treasury we find a very different atmosphere.

THE CHAIRMAN: This has to do with vote 160. We are not on vote 155.

MR. TEMPLE: Now, Mr. Chairman, you are holding proceddings up because I will make this statement later on if you do not permit me to make it now. I planned to make them in a general way and give the hon. Minister (Mr. Goodfellow) an opportunity of replying in a general way. If you would rather have it later, I will give you just as much then or more than now.

THE CHAIRMAN: We are on vote 155.

Vote number 155 agreed to.

MR. W. DENNISON (St.David): On vote 155, referring to item number 6, "Transportation of deserting husbands back to place of residence of families to determine husbands' responsibility for maintaining their families, $3300." I did not know that was possible before and I am just wondering if this is a new item in the Department.

(TAKE "DD" FOLLOWS)

MR. GOODFELLOE: No, that is the practice we have been following in the case of deserted husbands. We have been paying the cost of transportation, and charging it back to the municipalities. The Department of Welfare has been assuming the full cost of transporting deserted husbands who have left this province for Saskatchewan, or some other province, in order to get them before the Courts.

MR. TEMPLE: No, there are a lot of items under 113 which I am going to discuss. I would have been through now, if you would let me go along. I want to find out about the cost of living bonus. I notice the entire Department is receiving this bonus, Has the hon. Minister (Mr. Goodfellow) considered the advisability of paying the servants in his Department a fitting sum of money, and not paying these pensions, which may be cut off at any time, and which is hanging as a threat over their heads. Should they not be paid adequately --

MR. GOODFELLOW: There was no threat being held over the heads of the Civil servants in my Department, or in any other department. The cost of living bonus is payable to every civil servant in every department of government, and it is a matter of government policy, whether it is a cost of living bonus, or whether it should be included in the salaries.

MR. TEMPLE: Does the hon. Minister (Mr. Goodfellow) thinks it should be included?

MR. GOODFELLOW: I made the statement that it is the matter of government policy.

Item 155 agreed to.

On item 156.

MR. SALSBERG: Mr. Chairman, this is the item dealing with day nurseries branch, and here I am obliged, much against my wish, to criticize government policy, and I emphasize "government policy" because I do not think the hon. Minister (Mr. Goodfellow) really likes it that way, but I do not think he has succeeded in convincing the majority of his colleagues that the present very reactionary and indefensible position of the government toward the Day Care Centers should be given up, and a more liberal policy adopted. May I say to the hon. members to my right, that I speak of "liberal" with a small "l".

MR. OLIVER: Why?

MR. SALSBERG: Because I am afraid of banking too much on the present rather unsatisfactory position which the Provincial Leader of the Liberal Party has taken.

Experience has shown that the Liberal Party's spokesmen in the past have advocated certain things, and then forgot those things when they were in power, and they have adopted certain decisions in convention, and forgot them after the convention. So I prefer to play safe, and say the government should adopt a more liberal policy, with a small "l".

It is significant that the Leader of the Party with the prestige of the Liberal Party is now going up and down the province --

THE CHAIRMAN: That has nothing to do with this section.

MR. SALSBERG: If this has nothing to do with it, then nothing has. I am speaking on Item 156, and the sub-title is "Day Nurseries Branch". Right, Sir?

Now then I believe what I am saying is perfectly in order, when I say that the Leader of the Liberal Party is going up and down the province castigating the government for its refusal to assume 50% of the cost of the Day Care Nurseries. The C.C.F. is definitely in favor of the government assuming 50% of the cost of the Day care Nurseries. Our Party here, of course, at all times, advocates such a policy. In other words, here is the present position, that the political representatives of a majority of the voters in this province are pressing this government, and have been for some time now, to give up that insupportable position of theirs, which causes them to refuse to share in the cost of the Day Care Nurseries with the municipalities, such as Toronto and others.

MR. GOODFELLOW: What others?

MR. SALSBERG: Others who ask for the same thing. I do not know, but I presume to help the municipalities which are at the present time conducting such centers, and those who are anxious to enlarge them, to increase their capacity and other municipalities.

Now, earlier in this Session, we had a Bill introduced by the government that enlarged the age limit of children who receive assistance from the government, if they attend Day Nuseries; in other words, the age limit was up to 7 years. But the hon. Minister (Mr. Goodfellow) was very, very careful, to point out that if a child of seven does attend a school class, then the government will not share the cost of caring for such a child in the after-school hours.

I submit, Mr. Chairman, that this policy is so

horribly wrong, so unsound, so short-sighted, and of course so unprogressive, that it is astonishing that the hon. Minister of Welfare (Mr. Goodfellow), who knows all that, should not have succeeded in changing the minds of his Tory colleagues, Tory though they be.

We, in Toronto, -- and I am sure that is the case in other large centers, at any rate, -- are in the position where an increasing number of mothers are obliged to go to work, either to support their families, if there is no bread-winner, or to supplement the income, to make possible the maintenance of a half decent living standard. Those mothers cannot take care of their children if they have to go to work, and some assistance is necessary from public bodies to provide for the cost of such centers, and to deny mothers in that category, and their children the little assistance that is asked of this province, is to do something which is beyond defence, and I want to point out to the hon. members who support this government, that what I say is not the opinion of one group, or of the Opposition groups, but is, you might say, the position taken [illegible] even by the friends of the government in power. Such a paper as the Globe & Mail is unhappy about the government's policy, and they support the government. The demand for sharing the cost of Day Care Centers is almost universal, and yet the government does not want do budge. I say there is no reason for not doing it, if we bear in mind the money the government is riding on. It has more money than it knows what to do with. This government has ended every fiscal year with anywhere from twenty million to twenty-five million dollars surplus, yet it is adamant when it comes to giving a

pittance to the mumicipalities to operate the Day Care Centers. It is beyond my understanding.

I want to say to the hon. MINISTER (Mr. Goodfellow) that in the long run the refusal to supply day care to the children of working mothers, will prove to be more costly, for this province than would the initial investment. You are forcing children to roam the streets, when their mothers are at work, and the municipalities are only asking you to share the cost of the little care which they require. But you will continue to speak of juvenile deliquency, and you will continue to speak of broken homes, and you will supply all the money necessary for penal and reform institutions, and you insist on a policy that no fair-minded, forward looking person can support.

I do hope that the hon. Minister (Mr. Goodfellow) will have something cheerful to say about this; something that will give ground for hope for municipalities, that they will receive the assistance from the province for which they have been applying, which this Conservative government is able to supply, for which the Conservatives in this province are pleading, for which the people like The Globe & Mail are pleading, for which people like Mr. Thompson are pleading, and for which every organized group engaged in social welfare is pleading. This is not the demand of long-haired radicals; it is a demand from almost every decent-minded citizen in the community; it is high time, Mr. Minister (Mr. Goodfellow) of Public Welfare, that you succeed in changing the thoughts of your colleagues, so they will agree with you, as I know you agree with us, so that this government will contribute at least 50% for

the cost of maintaining day nurseries.

THE CHAIRMAN: Shall the item carry?

MR. SALSBERG: No, give the Minister (Mr. Goodfellow) a chance. He wants to answer.

MR. GOODFELLOW: Mr. Chairman, after the very appealing way in which the hon. member for St. Andrew (Mr. Salsberg) has put forward his case, does he expect me to bring forward a cheerful reply, when I am almost on the verge of a breakdown, due to the heart --rendering appeal which he has made --

MR. SALSBERG: That is good.

MR. GOODFELLOW: On the other hand, in connection with Day Care Centers, that again is a matter of policy, and when the hon. member (Mr. Salsberg) speaks of municipalities requesting the provincial government to assist by way of subsidies for the carrying on of the program to assist Day Care Centers, he speaks of municipalities, whereas, the city of Toronto is the only municipality in the province which has made any request for assistance in connection with the carrying on of a Day Care Center program. In my opinion that is entirely separate from the Day Nursery program inasmuch as day nurseries furnish care for children under school age.

(TAKE "EE" FOLLOWS)

It is true that we did amend The Day Nurseries Act at this Session whereby a child can receive day nursery care until it enters the full first year of school. Now, once a child starts full-time school, it is a question how far day nursery centres are going to extend. I do not know whether hon. members of this House want them to extend it to eight years of age, twelve years of age, or twenty-one years of age, or where we would stop giving day care centre care to children, or to adults who were supposed to be adults and who are still children.

MR. SALSBERG: Where does the hon. Minister (Mr. Goodfellow) think we should stop?

MR. GOODFELLOW: It is a matter of policy in connection with the day care centres, and I may say I might be a bit reactionary on this particular point, but I think we have to be very careful in view of the fact that this care would only extend to a very limited number of mothers in this city or in any other municipality. And in surveying some of those, in making a survey rather of some of those who would be taking advantage of day care centres, in a great many cases we find the mother is earning a very good salary or very good wage, and that her husband is earning a very good salary or wage and yet they are taking advantage of the day care centres, and yet some other poor little mother because she happens to have five or six children at home is unable to go out to work, she cannot take advantage of that service which these other people who are more fortunate are able to do. Therefore, I may be reactionary to this extent, that I feel we have to be very careful in promoting programmes of this kind which do not extend across the board, and particularly which do not extend to those people who are in the greatest need.

If this was widespread across the province, then I am

sure the government would give very serious consideration to it, but it would have to be on a much broader scale than the present day care centre programme as carried on in the city of Toronto. I think it would have to be extended to every school child in the Province of Ontario, if and when the government should see fit to introduce such a programme, and not confine it to a few as it would be at the present time. At that time it could very well be a problem for the Department of Education to deal with rather than the Department of Public Welfare.

SOME hon. MEMBERS: Hear, hear.

MR. SALSBERG: I would like to ask the hon. Minister (Mr. Goodfellow) if he is aware that there is an estimation of approximately 1000 mothers in Toronto waiting for an opportunity to place their children in the day care centres while they go to work?

MR. GOODFELLOW: How many of those mothers have husbands working?

MR. SALSBERG: Well, Mr. Chairman, the hon. Minister (Mr. Goodfellow) instead of answering my question as to whether or not he knows that, because he spoke of it affecting their view, is asking me a question. He is asking me how many of those mothers have husbands working. Of course I am unable to answer that question, I do not know, but I will say that the municipal authorities are just as careful as the hon. Minister (Mr. Goodfellow) could possibly be in ascertaining the merits of each case and the degree to which they deserve assistance. They are very careful in granting it, and I think we need not wory that the municipal authorities would just open the doors wide to take in children of mothers who spend their afternoons playing mah jong or whatever else they entertain themselves with.

MR. GOODFELLOW: Canasta.

MR. SALSBERG: We are speaking of centres to take care of mothers who are forced to go to work, and in answer to the hon. Minister's (Mr. Goodfellow) question, I can only quote from a Globe editorial:

> "The two questions, the high cost of living for families without a capable male breadwinner, and the national emergency, ought to induce a broader approach to the day care centre problem."

Of course I do not agree that it is cases of male breadwinners who are not capable, they may be very capable breadwinners but they are working for employers who do not pay them enough to take care of their family satisfactorily. However whatever the case may be, whether it is their fault or they are handicapped or they are unfortunate enough to work in low pay industry or have no trades, or for whatever reasons they are not earning sufficient, it is generally recognized that mothers with small children do not go to work unless they have to. That is universally recognized. I think it is an insult to suggest even that women would leave their children to the mercies of the streets and go to work if their husbands earned enough to keep their home on a decent level. It is obvious that these mothers go because they have to, for one reason or another. Their number is not as small as the hon. Minister (Mr. Goodfellow) suggests. It runs into hundreds, and is suggested here, perhaps thousands, andtheir number has increased and---well, I do not know what I can add except to plead again for a change of heart, for a change of thinking on the part of this government, or perhaps may I suggest that the mothers affected organize themselves and come to this government in large enough numbers to force a decision that will be more humane and more rational,--

AN hon. MEMBER: Revolutionary.

MR. SALSBERG: --than the one now.

MR. GOODFELLOW: Will you come with them, Joe?

MR. SALSBERG: I want to tell the hon. members, that the suggestion to get the citizens to organize themselves into pressure groups and to come to their politicians, and demand improved legislation, was made, among others, by The hon. Attorney-General and Minister of Education (Mr. Porter)--in fact I still have it in writing over his signature. That was, of course, in the heyday of the Port Hope programme, and he, as a young Progressive, who was going to revive the Tory Party, inject liberal ideas when he was elected, issued a statement to the people of this province telling them to organize, "Go to your electred representative, demand legislation and if they do not give it to you," he said, "Turn to other politicians and elect them." And I say that if the government will not change its views, I for one will not hesitate to take a good suggestion from the hon. Attorney-General (Mr. Porter), reproduced in as many copies as I can, and tell the mothers and all mothers who understand the problem and the needs of working mothers whose children are left without care during the day to come in their thousands to Queen's Park, to see the hon. Minister of Welfare (Mr. Goodfellow), who is a very friendly chap; go to the hon. Prime Minister (Mr. Frost) primarily, he is the man who can decide. And insist on it, and if the government will not do it, then take the second suggestion of your hon. Minister of Education (Mr. Porter), turn to other politicians, and turn these out, and get people who will do what is necessary and what should come naturally with a government that has so much money that it does not know where to bury it lest the people see all they have of it, at the end of the year.

MR. W. H. TEMPLE (High Park): Mr. Chairman, I would like to say in connection with this question of day care centres that during the war the Federal Liberal Government urged the mothers of Toronto and other industrial centres acros Canada to go into the war plants and to go into industry in order to help win the war. And the mothers did just that and their children were placed in day care centres maintained in part by the Federal Government at Ottawa and the provincial governments and in Toronto also by the assistance of the muhicipality. Well then, when the war ended, the Liberal Government at Ottawa suddenly decided that it didn't want the women any more to work in the factories, and they pulled out the plugs on price controls, they ended rent controls, with the result that the cost of living began to soar and many of these women who had been working in factories in order to help win the war now found that they were forced to continue to work in order to exist. The cost of living had gone up under the axe of the Federal administration at Ottawa to such an extent that it was absolutely necessary for them to continue working .

Now, Mr. Chairman, I think that the hon. Minister (Mr. Goodfellow) will agree that very, very few mothers want to work. They would rather be at home with their children looking after them and caring for them personally, rather than having them placed in day care centres for someone else to care for. And because the Federal Liberal Government neglects its duty, is no reason why this government should not undertake the responsibility of making at least a 50% contribution towards day care centres in Toronto. I think that this is a new field, that the government would be pioneering, I think they should have embarked on it with courage and hope in order to assist the mothers of Toronto in this problem.

The hon. Minister (Mr. Goodfellow) asks at what age should the day care stop. Well now, I think if we even accepted the present age for day nurseries of seven or eight, it would be a step in the right direction and it could be enlarged upon or extended later if necessary.

I am going to urge the hon.Minister (Mr. Goodfellow) to give this matter further consideration. Day care centres are needed. We have leading authorities, social workers of all kinds in the city of Toronto stating postively that these day care centres do fulfil a great social need, they do let mothers go out to work in the full confidence that their children are being cared for after school hours in a capable, efficient manner, and the sum asked for by the city of Toronto is very small. The government would never have missed it, and I regret very, very much indeed that the hon. Minister (Mr. Goodfellow) did not see fit to assist the municipality in this regard.

MR. F. R. OLIVER (Grey South): Mr. Chairman, I was interested in what the hon. Minister (Mr. Goodfellow) said a moment ago, that the decision not to help more adequately these day care centres was a matter of government policy. I rather detected in the hon. Minister's (Mr. Goodfellow) voice his conviction that if he were left to his own pursuits in these matters that he would extend a more generous hand to those institutions.

I would like to say to the hon. Minister (Mr. Goodfellow) that he has said to the House tonight that the city of Toronto is the only centre to ask for these day care centres. I think he will find, and I think he will agree with me in this, that if the need for women workers becomes more definite and more pronounced than it is at the moment, there is every reason to believe that as the days go

on we will demand more and more of our women to work in war factories and munition plants and the like. Now, if that situation arises and if it deepens, then even this government will have no other course than to deal more generously with this particular problem.

I believe we have got to the place in this province, Mr. Chairman, when day care centres are institutions which are going to be with us, they are not passing things; they are institutions we are going to have to support whether it is in peacetime or in wartime, and to support them in a meagre way is not really supporting the principle of day care centres.

I would appeal to the hon. Minister (Mr. Goodfellow) , in the limited capacity in which he can work at this, to try to revise the thinking of the government on this particular problem, because it is one that has been and will have very wide ramifications indeed.

May I ask the hon. Minister (Mr. Goodfellow) how many day nurseries there are in the province now?

MR. GOODFELLOW: There are 28 day nurseries and five creches.

MR. OLIVER: How many cities does that cover?

MR. GOODFELLOW: There are 13 of the 28 in Toronto. There is one in Strathroy, three in St. Catharines, one in Peterboro, one in London, three in Hamilton, one in Brantford, one in Oshawa, and Orangeville, Stouffville and the Township of Tisdale each have one.

MR. OLIVER: And how much did the government contribute towards the cost of those?

MR. GOODFELLOW: 50%.

MR. OLIVER: 50%?

MR. GOODFELLOW: Of the day nursery care, yes.

MR. TEMPLE: On 157, would the hon. Minister (Mr. Goodfellow) explain what is involved in subsidy for pretection services, an item of $200,000. I am wondering who is being protected. Just what does it cover?

MR. GOODFELLOW: Well, that, Mr. Chairman, is the 25% which the Department pays to any society---that is, 25 cents for every dollar that is collected by private contribution to a Children's Aid Society. That grant was made available two years ago and the purpose of it was to encourage societies to continue and to encourage private subscriptions to the Children's Aid Society rather than depending on the municipalities as a great many of them do in order to retain the private identity, feature of the Children's Aid Society.

Vote 157 agreed to.

(Take FF follows)

Vote 158 agreed to.

Vote 159 agreed to.

MR. W. J. GREMMETT (Cochrane South): While speaking on the Throne Debate I referred to the question of deserted wives and children. In this item there is a certain expenditure provided for mothers' allowances, which allowances are made necessary by reason of the fact that husbands have deserted their wives and children; that is, after one year's absence if the husband's whereabouts are unknown the deserted wife then can apply for an allowance. While I was speaking on this particular usbject the hon. member for St.Andrew (Mr. Salsberg) asked the q uestion whether or not the problem was a local one in parts of Northern Ontario. I believe the hon. Minister (Mr. Goodfellow) rather gave the impression that it was either worse in my riding or that it was greater in Northern Ontario. I have looked into the figures and I believe it is much more serious province-wide than many of us realize. If these monies which are paid to the families of deserted wives did not have to be paid there would be so much more money available for the bona fide mother for whom the Act was drafted. In the first instance, the mother receiving this allowance was a widow left with young children; then it was extended, and so on, and now if the mother is left without a husband to help her keep the family and his whereabouts are unknown for one year the allowance is then paid. I do not think we, as the province or the municipalities, are doing our full share to bring these deserting husbands to justice, to bring them back. I believe that the Department could

do a whole lot more in seeing that these men are brought back and compelled to keep their families.

In 1946 there were 266 cases of mothers allowance paid to mothers whose husbands had deserted them; in 1950, 840 cases of a smiliar nature as regards those allowances. That is an increase of approximately 100% per year, which is a tremendous increase in cases of this nature. The 1950 number equalled approximately 12% of the total mothers allowances cases handled by the Department -- much too great a percentage.

What is the cost to the province? Take, for instance, 1948. In 1948, the Mother's Allowance was paid to mothers who had been deserted which amounted to some $20,000. a month. By September, 1950, this amount had risen to $53,000. a month. In Canada, the record in 1943 for convictions for desertion totalled 2271; in 1948, that total had risen to 4857 convictions. The hon. Minister (Mr. Goodfellow) well knows that convictions for desertion do not tell the true picture. Not very many of the cases are brought into court, and once brought into court, not all of them result in a conviction.

Mr. Chairman, I feel that this is a problem that we should attack more vigorously than we do at the present time. The municipalities are just awakening to the danger and they are wondering what they can do. I think the Department should, together with the Department of the Attorney-General, see that the services of the Provincial Police are used to bring back these men to face the courts and to face the charge of having deserted their wives. I have said before in this House that if a

man broke into a store and stole an article worth $20. our police would hound him from here to Vancouver, but if a man leaves his wife and family to starve in this province, of ours, we do nothing about it. We accept it as a natural thing. It is time that we woke up.

Hon. MR. GOODFELLOW: I appreciate the concern the hon. member for Cochrane South (Mr. Grummett(has in connection with this problem. I might say that it gives us a great deal of concern as well. In quoting figures in connection with Mothers Allowance beneficiaries due to desertion, I might point out that the great percentage of increase from between 1946 and 1950 is due to the fact that in 1950 we am ended the Mothers Allowance Act so that a mother could qualify on one year's desertion instead of three years. The cases more than doubled in the following year. I might say that in 1950 in this province Mothers Allowance was granted to 871 cases for desertion and unemployment relief, that is, a charge on the municipality for the first year of desertion, 618 cases, making a total of 1489.

I am wondering whether there would be any point in strengthening The Deserted Wives and Children's Maintenance Act or not. You can just put so many teeth in an Act of that kind; you can only go so far in trying to force an individual to support his family. I am wondering whether all the courts are tak ing full advantage of the provisions in the Act in order to enforce it as it should be enforced. I am wondering if the time has not arrived when the Criminal Code will have to be used more often and more severely in dealing with matters of desertion.

This is a very serious problem. It has given to us some concern. We are making a study to decide whether it is advisable to raise the penalties in connection with desertion, or not, but there is the question involved whether that is necessary if the present Acts were enforced and these husbands were brought to court. I think every effortthas to be made through all the facilities at our disposal to see that deserting husbands are brought before the courts and make them assume all the responsibility or else pay the penalty.

MR. GRUMMETT: I agree with what the hon. Minister (Mr. Goodfellow) has said, but I would like to point out that when police officers lay charges against deserting husbands they are advised, or perhaps I should say encouraged by the Magistrates, to lay the charge under the provincial statute, because the Magistrate concerned feels that he can give a verdict ordering the deserting husband to pay an allowance to the family, whereas, if the charge is brought under the Criminal Code, it means that his punishment must be a jail term. I think Magistrates ought to sort out or screen the cases coming before them. If a man has been before a Magistrate on two or three occasions and the presiding Magistrate knows he is not going to obey the order of the Magistrate to support his family, then lay the charge under the Criminal Code and give him a good stiff penalty. I do not know that we can increase the penalties under the provincial statute to any advantage but I do know that since I spoke in the House a year ago in my own constituency the Magistrates have been dealing more severely with all of the cases

which come before them, but it has not lessened the number. The only result is that these men are being shown that they cannot desert their families. I hope that it will have, perhaps, some effect.

Vote 160 agreed to.

MR. W. L. HOUCK (Niagara Falls): Not in the way of any criticism whatsoever in regard to old age pensions, but I would like to say to the hon. Minister (Mr. Goodfellow) in regard to the administration of this branch that sometimes we, as members, I think, are too prone to throw a bouquet of roses at the hon. Minis ter (Mr. Goodfellow) because of the splendid administration of the old age pensions which has obtained, but I think an orchid should be given to Mr. Ashbury, the hon. Minister's (Mr. Goodfellow) right-hand man. I know I, like many other hon. members, have gone to him with many difficult cases. He is always more than ready and willing to help out and go the second mile and make a thorough investigation of the case. If at all possible he shows a very sympathetic attitude and does a lot to help us as hon. members out in overcoming some of these cases which are hard to handle. I want the hon. Minister (Mr. Goodfellow) to know that we appreciate Mr. Ashbury's work in that Department.

MR. GRUMMETT: I echo the remarks of the hon. member for Niagara Falls (Mr. Houck).

MR. A. A. MacLEOD (BEllwoods): Mr. Chairman, I, of course, would want to be associated with what the hon. member for Niagara Falls (Mr. Houck) has said about the Chairman of the Old Age Pensions Commission, Mr.Asbury.

I have had many dealings with that section of the hon. Minister's (Mr. Goodfellow) Department and I must say that I have never brought a case to Mr. Asbury's attention that I did not get prompt results. I do not think any of us can speak too highly of the excellent way in which the Old Age Pensions Commission carries on its work under the Chairmanship of Mr. Asbury; nor, would I want to take second place to any hon. member in the House in expressing praise for the able way in which my hon. friend, the hon. Minister (Mr. Goodfellow) carries on the work of the Welfare Department. I feel quite sure that the province of Ontario has never had a better Minister than the present one.

SOME hon. MEMBERS: Hear, hear.

MR. MacLEOD: And I do not think that the man who replaces him will be better than he is. I really cannot be more generous than that. That, of course, is by way of introduction to what I am about to say, Mr. Chairman, Frankly, I was hoping that in view of all that which has been said on the subject of old age pensions, since the Session began, in view of the fact that the House has divided on this issue on a number of occasions, in view of the fact that the parties, which, in this House, speak for a majority of the people of the province of Ontario, have introduced votes of no confidence in this government on this issue, in view of the fact that the Deputy of the present leader of the Liberal Party of Ontario felt it important to leave his place in this House a few nights ago and to go to far off Eglint'n to address a meeting of the Liberals of that constituency and to devote all

his remarks to the subject of old age pensions, I say in view of all of these things, I was rather hoping that, when vote 160 was called, the hon. Minister (Mr. Goodfellow) would be the first to ask for the floor.

(TAKE "GG" FOLLOWS)

to explain, as best he could, under the circumstances, why this item 160 is so small, and why the government is not asking us for at least $23,000,000, instead of $13,000,000, so that the government of the province of Ontario might be able to duplicate here what the government is now doing in the province of British Columbia, namely, paying the $50. a month's pension.

Now, Mr. Chairman, there are some 35,000 or 90,000 recipients of old-age pensions in this province today, and all of these people, of course, are receiving old-age pensions on the basis of the existing means test, that is to day, these 85,000 or 90,000 people have been put through the wringer, and have been discovered to be so sadly lacking in the means of living that they must of necessity qualify for this $40. a month pension.

Now, a colleague of the present hon. Minister of Welfare (Mr. Goodfellow) was so outraged by the $40. a month paid to these 85,000 or 90,000 people, that he found it necessary to go on the public platform and brand the $40. a month for what it is, a thin and a shame. That is what your colleague, the hon. Minister of Health (Mr. Phillips) calls it, and he goes on to say it should be $75. So far as we are concerned,we are not prepared at this stage to argue that the province of Ontario a $75. a month's ension, because we do not think the resources of the Treasury of Ontario will permit that. We do say, however, that since the government of the province of Ontario is not capable of assuming sucha large financial burden, it should, therefore, confine itself to what it is capable of doing, namely, to pay a $10. monthly supplement to all those now receiving

the $40. means test pension. I think that the government should keep in mind that the strong feelings which have been expressed on this matter in this House, are not just confined to Opposition groups in the House. About a year ago, The Toronto Evening Telegram, which is about as friendly a supporter of this government as any newspaper could possibly be, felt it was worth while to carry on a series of half a dozen articles on the subject of old age pensions, which appeared on the front page of that evening newspaper. I hold in my hand one which appeared, I believe, in the early part of June, just a year ago, and I would like to quote a few sentences from one of those articles by Dorothy Hogarth, a Telegram staff reporter. She said:

> " Among savages, when a man grows old, he is put away in a cage on short rations and left to die. Modern society is more benevolent; it pays its aged a pension, and then leaves them to die of apathy, loneliness, malnutrition, and neglect."

That is from The Toronto Evening Telegram; that is not from the C.C.F., nor the "Modern Liberal democracy", and not the L.P.P. That is the opinion of the leading Tory newspaper, published in the city of Toronto, and I must say this is one of the rare occasions when one finds The Toronto Evening Telegram telling the truth. Of course, that is a pretty good description of what is happening to many thousand of old age pensioners in the province to-day.

I gave the House, in the course of a speech I made from this place last week, some figures published by

The Toronto Welfare Council showing that the minimum requirements of the old age pensioners, living in rooming houses, in the city of Toronto, leaves them short at least $20. of the minimum requirements every month. The Welfare Council says they need a minimum of $60. to live in a rooming house in this town. That is where many thousands of these old age pensioners live. It requires $60. a month, just to keep body and soul together. So there must be of necessity very great distress amongst these people. It is very difficult for me to understand how members of a government who profess to be christians, who profess to be humane, who profess to have some regard for human life and human dignity, can sit on these benches with millions of dollars at their disposal -- with so much money at their disposal, that they do not know what to do with it -- and yet permit thousands of senior citizens of the province of Ontario to live in misery and degradation, because this $40. pension falls so far short of enabling them to maintain a decent standard of living.

I suggest, Mr. Chairman, that the government policy in this matter is absolutely indefensible. There is nothing the hon. Minister (Mr. Goodfellow) can say in defence of a policy of refusing to continue to restore the supplemental aid which the government felt it was necessary a year or two ago, but which it abandoned when the basic pension was raised by the government at Ottawa.

I do feel that the hon. Minister (Mr. Goodfellow) when his estimates are before the House should be prepared and should have the honesty and the courage to stand up in his place and explain just how the recipients of $40.

pension in Toronto, or any other urban center in the province of Ontario, can possibly survive. It is just impossible to do it. The hon. Minister (Mr. Goodfellow) must know that; The hon. members of the government must know that, and in view of that no one can draw any conclusion but that the government is prepared to continue its callous and inhumane attitude toward the plight of these senior citizens of the province of Ontario.

I find it very difficult to believe that the hon. Minister (Mr. Goodfellow) himself is not concerned about this. I find it difficult to believe that the hon. Minister (Mr. Goodfellow), of all people, would be the one to take a stand against a $10. monthly supplement,

(PAGE GG-4 follows)

and, therefore, I will be generous to him, and say it is the hon. Prime Minister (Mr. Frost), and the Deputy-hon. Prime Minister (Mr. Doucett) and the senior members of the government who are to be held responsible for this callous, inhumane policy. I hope that the hon. members of this House will not feel disposed to allow this item to be hurried along until we have had an adequate explanation from the government, and until we have given the hon. Minister of Welfare (Mr. Goodfellow) an adequate opportunity to hear what the hon. members of the House really feel about the government policy.

MR. OLIVER: Mr. Chairman, when we were discussing the vote dealing with old-age pensions, I thought it would be fair to say to the hon. Minister (Mr.Goodfellow) and those who work with him in the administration of this important Department, that they have rendered within the scope of their ability a very great service to the people of Ontario, insofar as the administration of pensions is concerned. That is indeed a compliment to the present hon. Minister (Mr. Goodfellow).

But when it comes to the question and the proposal to institute a supplementary allowance at this particular time, I say to this House that the present government is without a case before the bar of public opinion. There is no doubt in my mind -- nor do I think there is any doubt in the mind of the hon. Minister (Mr. Goodfellow) -- that there is a very great and crying need on the part of the old age pensioners in this province to have further financial assistance at the present time.

When the hon. Prime Minister (Mr. Frost) came back from the Dominion-Provincial Conference, he told the people

of Ontario that his government -- the government of the province of Ontario -- was willing to participate with the Federal administration in the inauguration of an over-all agreement, and he sort of let it be understood that was his contribution to the present situation with regard to the old-age pensioners.

If you look at it in that light, two or three things become apparent; in the first place, you cannot eat good intentions, nor you cannot warm yourselves on agreements with the Federal government, which are still in the offing. You have to face the realities of the situation. This government has failed completely, in my judgment, to meet the realities of the situation with regard to the adequacy of old-age pensions in this province.

It is true, that in the future -- I know not when; nor does any hon. member in this House -- there will be consummated in the province an over-all minimum for the old-age pensioners, but there is a very necessary interval which must elapse between now and the time this agreement is reached between the various provinces of Canada, and the Federal administration, and the government of the province of Ontario, Mr. Chairman, today has a solemn obligation to rise up to its full stature and meet the problem which exist at the moment, during the interval, and during the interval only. No one in this House is asking the government to institute a supplementary allowance over the next ten years. We do say there is a crying need at the moment, and it is your obligation to meet that need by means of a supplemental allowance. I, for one, do not expect for a moment that the hon. Minister of Public Welfare (Mr. Goodfellow) in this province is not conversant with the situation.

He has been faced with it, day after day. He knows the realities of the picture, and I think if he were given a free hand he would be the first to see for the time being and for a limited period, that they were given supplemental allowance to tide these people over until there is a consumation with the Dominion government.

MR. GOODFELLOW: Mr. Chairman, perhaps I should make a few observations with respect to this particular item of old-age pensions, since it has been raised by the hon. member for Grey South (Mr. Oliver) and the hon. member for Bellwoods (Mr. MacLeod).

It is true that the Dominion-Provincial Conference was held in the early part of December at which welfare and old-age security, in particular was one of the many matters under discussion at that Conference. I think there is agreement amongst all groups in this House that there should be a universal pension paid to all persons of a qualified age. I have endeavored to make myself somewhat conversant with the old-age pension, as we are administering it in the province of Ontario.

(TAKE "HH" FOLLOWS)

You will recall that in connection with the abolition of the means test, which interferes with thrift and initiative, which penalizes people who make some little savings during their lifetime -- and at the present time I might say that the means test in my opinion is a very mean test -- I might say that when we were requested to make a submission to the Committee which was set up to study old age security by the federal government last year, we made submissions to this Committee, which was comprised of members of the House of Commons and Senate, and in that submission we went all-out in the first instance as favouring a universal pension at a qualifying age at an amount which the federal government thought the economy of this country could carry; we mentioned no age, we did not mention 70 years of age, 65 or any other age, because when a universal pension is paid, it then becomes the responsibility of the federal government and we would be entirely out of place to make any suggestions to them as to what age a qualifying pension should become effective and how much that pension should be, as this would rest entirely with the federal government whose responsibility it would be to the hon. Minister of Finance (Mr. Abbott) to make the monies available to pay that universal pension. That is the position we took, that we were favourable and felt it was highly desirable at the earliest possible time that a universal pension should be introduced at a qualifying age as set by the federal government.

We also went on record in our submission to that Committee that in the meantime until such a pension could

become a fact, that certain revisions should be made to the existing Act which would do in particular two things which are most objectionable under the old age pension at present; in the first place, the collection on estates should be eliminated.

AN hon. MEMBER: Hear, hear.

MR. GOODFELLOW: Because we feel it is very unfair because some elderly couple happened to lay aside a little bit during their life in order to provide a little for themselves, that any government should step in and make any collection on the estate after their decease. We felt in the intervening period until a universal pension could be paid that one step which could be taken immediately was the elimination of the collection out of estates.

The second suggestion we made was that the permissible income should also be raised at once. As you know, when the federal government raised the basic pension to $40. in 1949, they failed to raise the permissible income. With the $40. pension today, if you qualify, you cannot have any more total income and pension than you could prior to the raising of the basic pension from $30. to $40. in 1949. We urged them to give consideration to the raising of the permissible income in order to help out a great many people, because I may say at the present time that approximately 25 per cent of the pensioners we have in this province do not qualify for full pensions because the permissible earned income is too low. Those are things which could have been corrected.

As I recall, as the minister responsible for the administration of a supplemental allowance a few years ago,

there was a lot of headaches in connection with the administration of the supplemental allowance. I might say to this House that it is my opinion from certain conversations which I have heard that the province of British Columbia is slightly embarrassed with their supplemental allowance at the present time, as is also Alberta and Saskatchewan, to know what they are going to do in connection with supplemental allowances, once the federal government implements an old age pension to all senior citizens.

If the federal government is going to institute a universal pension it is only natural that the federal government will expect to have the administration carried on from Ottawa. That is only natural, they are not going to have the provinces sending out the cheques, and at the same time if you have a supplemental allowance, are you going to have a dual administration at the taxpayers' expense in order in the first place to pay universal pensions at a qualifying age, and a supplemental allowance at provincial level which would require the same amount of administration --

MR. A. A. MacLEOD: Would the hon. minister (Mr. Goodfellow) permit a question?

MR. GOODFELLOW: Yes.

MR. MACLEOD: Why do you think the federal government would want to send out the cheques? Why would the government want to attach any importance to that?

MR. GOODFELLOW: It is just possible they might. I would not want to make any suggestion.

MR. F. R. OLIVER (Grey South): Well, they pay 75 per cent now, and they let you send out the cheques.

MR. GOODFELLOW: Yes, we send them out, our official

signature is on them. Of course they send out the baby bonus cheques. As a matter of fact, in passing now, we are speaking about a contributory pension, and this is not a contributory pension in any sense of the word. And as a matter of fact, all these discussions. conferences and agreements, in view of the fact that this universal pension, so-called, which is supposed to be instituted are not contributory in any sense of the word. There might be some question whether it is necessary to even have a conference or not. It is for the federal government to decide on the payment of a universal pension or whether they might have made a universal pension available to all senior citizens by paying it out of the Consolidated Revenue exactly the same as they did the Family Allowance. There is some question about it.

I doubt if this amendment to the Constitution is necessary, providing the federal government wants to pay a universal pension out of the Consolidated Revenue, the same as they pay Family Allowances.

MR. MacLEOD: May I ask you a question on that?

MR. GOODFELLOW: Yes.

MR. MacLEOD: Suppose the federal government decides to have old age pensions in the same way that it does the actual family allowance, would the hon. Minister (Mr. Goodfellow) give an undertaking now that this government will not repeat the course followed by the then Leader of the Conservative Party (Mr. Drew) in the province of Ontario when he threatened to hold up the family allowance legislation and challenge it in the court.

MR. GOODFELLOW: Oh, I think, Mr. Chairman, in the absence of the hon. Prime Minister (Mr. Frost) I can assure

the hon. member for Bellwoods (Mr. MacLeod) that there would be no holding up so far as universal pensions are concerned, and it has been the enunciated policy of this government for years that we are in favour of the universal pension to all senior citizens. I can give you that as an undertaking.

MR. MacLEOD: So you have had a change of heart since 1943.

MR. GOODFELLOW: I do not know. That was in connection with another matter entirely.

MR. MacLEOD: It was the same principle.

MR. GOODFELLOW: Not exactly.

MR. MacLEOD: Oh, yes.

MR. GOODFELLOW: However, there is that question. We in 1947 did institute a supplemental allowance. We had a lot of trouble with that, it seems to me as I recall it there was a good deal of criticism of the administration of that allowance from the other side of the House, and in 1949 we decided as a matter of policy to eliminate the supplemental allowance and as an announced policy said we would pay $2.50 to every pensioner in the province of Ontario who qualified for a $30. pension. That was in April of 1949 and it was interesting to note that just a little over 30 days later the federal government managed to find ways and means to pay the other $7.50 to bring the basic pension up to $40.

MR. MacLEOD: See what the power of example does.

MR. OLIVER: Try again.

MR. SALSBERG: There is no election in the offing now.

MR. GOODFELLOW: For we say at the present time we will pay 25. per cent of any basic amount that the

federal government establishes for the payment of old age pensions. That is the policy of this government at the present time, if the federal government in their wisdom decides that senior citizens should have $50. a month then this government will pay 25 per cent of that $50. pension until such time as the federal government in their wisdom and through so-called necessary agreements with the provinces reach the point where a universal pension is paid and it becomes the responsibility of the federal government to assume the total cost of old age pensions for senior citizens.

MR. R. A. McEWING (Wellington North): Mr. Chairman, under this vote 160 there is the old age pension which we are discussing, pensions for the blind, and I believe this is the last item which has to do with pensions. I would like at this time to express my appreciation for all the consideration that has been given by the officials of the Department. I think their heart has been in the work and they have been most generous and in many cases have leaned backwards in an attempt to be generous to those who are less fortunate.

However, there is one group yet for which no provision has been made, and I would like to urge upon the government to take steps to provide a pension system or scheme for totally incapacitated persons. And we have a goodly number of them, I hope the hon. Minister (Mr. Goodfellow) can possibly give us some idea about what there is in the province, I think possibly they have thought of this somewhat and made some survey of it, and I think in giving this they would at the same time be providing for some of those who will come under the "65 to 69" as what is

proposed, so that it will not be quite as much in the future when that comes in as it appears at the moment, because some of them will be provided for under that. But I do think there is a group for which we ought to give serious consideration, those who, through no fault of their own, are unable to earn a livelihood and are being buffeted around at the present time, subjects of charity and humiliation too. I would ask the government to seriously consider this, and I wonder if the hon. Minister (Mr. Goodfellow) could give us some idea of what it would cost and if they have approached the federal government on this proposition, because I believe all parties in this House would be behind it and all groups over the province of Ontario would be behind any government that would do it.

I wonder if the hon. Minister (Mr. Goodfellow) has any information on that.

(TAKE "II" FOLLOWS)

HON. W. A. GOODFELLOW (Minister of Public Welfare): Mr. Chairman, the hon. member for Wellington North (Mr. McEwing) has raised a matter to which I have given a good deal of thought and consideration over a period of years, -- that is, something of a permanent nature for the disabled citizens of this province, a group of people who are unable to a great extent to earn a livelihood for themselves, the unfortunates in other words who are now taken care of to a great extent by the municipalities through what we call unemployment relief of which this department contributes 50%, and which amounts to an expenditure of $3,000,000 or $4,000,000 a year. I could find it, but having that in mind, it occurred to me, and it has occurred to me on several occasions, whether in the introduction of a universal pension by the federal government at a qualifying age, regardless of what that age may be, and that would be for them to decide, as I said before, but rather than adopt a system of old age pensions, for a group between 65 and 69, that is, on the one hand, you say and we say, and we can agree that the means test is unfair, that it penalizes people; therefore, it should be done away with so that a universal pension should be paid to everyone without a means test. The committee set up comprises of members of the House of Commons and the Senate and reported that in addition to that there should be an old age pension with a means test between 65 and 69. I think it only stands to reason, Mr. Chairman, that if a means test is undesirable over 70

because it prevents people from going out and earning a few shekels on the side, it must naturally follow that it is much more unfair to have a means test between the ages of 65 and 69, that is, at an age when a great many people still have the ability of producing. We accept the federal government's proposal. We did make representations to the conference that instead of having an old age pension of 65 to 69, that is, for that group, that perhaps the conference might give consideration to a disability allowance for all citizens from 18 or 21 years up to the qualifying age for universal pensions. The cost could be much the same to the province if it was shared on a 50-50 basis, which is the proposal in respect of the old age pensions for persons in the 65 to 69 year group. It met with a good deal of favour with the representatives of a good many provinces. It was our understanding that further consideration was going to be given to that, to the study of our proposals that as an alternative if some province wanted to adopt a disability pension instead of an old age pension between 65 and 69 for all their disabled from 21 up, there should be the alternative for that province to enter into an agreement with the federal government on a 50-50 basis. We understood that a welfare conference was to be called. I might say that on January 4 of this year I wrote to the Hon. Paul Martin pointing out that it was our hope that the conference would be held without delay in order that we could study further this matter of the old age pensions, 65-69, or this disability allowance which we had pro-

posed and which had met with a great deal of favour with the delegates from a large percentage of the provinces across Canada, who realized it had some merit. We estimate that there would be approximately 35,000 to 36,000 people in the province of Ontario who would qualify for a disability allowance based on a physical test. The test would be approximately the same with the same basic amount paid involved to pay an old age pension for the group between 65 and 69 with a means test for the senior citizens of that age in this province. That is the proposal we made to the federal government. We are prepared to go along, we are anxious to see their proposal implemented. At the same time we do hope that they might give some consideration to this other matter of doing something for this unfortunate group who are unable to look after themselves, a group which is non-productive in the main, that something constructive can be done by way of public assistance which would be the basis for a sound public assistance program for all the citizens of Canada.

MR. W. J. GRUMMETT (Cochrane South): A few moments ago, while speaking on the Vote 159, I had intended to express to the Hon. Minister (Mr. Goodfellow) my appreciation of the consideration and assistance given by his officers. I do want to say that I think whenever we receive the type of assistance we do from the officers in any department, when they go out of their way to help us, it is our duty here in the House to let the Hon. Minister concerned know that we appre-

ciate the efforts of those officers in his department.

I wish to express to the Hon. Minister (Mr. Goodfellow) my appreciation of the help and the assistance received from all of the men in his department and also for the consideration given by the Hon. Minister (Mr. Goodfellow) whenever I have had occasion to go to him with any problems.

MR. W. DENNISON (St. David): I am sure all hon. members of the House are very happy to hear the Hon. Minister (Mr. Goodfellow) say that it was one of Ontario's requests that the interfering with or the looting of the estates clause of old age pensioners after they were dead should be one of the first things stopped in the case of old age pensioners. I notice in 1950 that 700 estates, or the estates of 700 deceased old age pensioners, were required to pay $706,000 to the Ontario Government and $320,000 to the federal government. All those monies were paid out of the estates of only 700 old age pensioners. That is really a crime and a disgrace, if ever there was one. That goes away beyond the means test; that reaches down to the grave and extracts and demands back the miserable pennies we gave those people when they were alive.

MR. GOODFELLOW: It is costing us more than that amount to administer it;

MR. DENNISON: How a federal government could refuse that very reasonable request, only a Liberal could explain. That seems to be a very reasonable request. Knowing the concern of the Liberals in this

House with respect to that particular problem, I do not see why the Ontario Liberals cannot bring some pressure to bear on their federal cousins at Ottawa who perpetuate that system of organized looting of the estates of these old age pensioners, and I think it is terrible. Talk about the Barbary pirates. I would like to ask the Hon. Minister (Mr. Goodfellow) just what progress he has made with this little difficulty, he ran into with the federal government last fall which resulted in about 700 old age pensions being either cancelled or reduced. I understand the federal auditors moved into the Department and they complained about the rather generous interpretation of the amount an old age pensioner was allowed to earn under the federal regulations, and the result was a number of old age pensioners in my own riding found themselves cut off. All I could tell them was that it was a federal government action that cut them off. I wonder if that matter has been settled up. That was a very sore point.

MR. GOODFELLOW: I think I can assure the hon. member for St. David (Mr. Dennison) that that matter was settled up very satisfactory and that the federal auditors withdrew very quickly as soon as we got in touch with the powers that be in Ottawa and told them what the policy we had been following, and we felt it advisable to continue that policy rather than cut pensions on about 7,000 elderly persons of this province.

MR. PARK: One of the amazing things to me is

how governments find reasons for not doing what they know they should do. The Federal Liberal Government at Ottawa won an election in 1945 on, among other things, a promise to pay an old age pension at 70 without a means test. Now, two years later, we find they are finding all kinds of reasons for not paying this pension. The Constitution stands in the way; they must have an agreement from every province before they can pay this money. I am going to venture the prediction that if we have to amend the Constitution before the people of Canada are going to get an old age pension without a means test, most of them will have left this world and they will not be able to be here to benefit from it. The Provincial Government is finding all kinds of reasons for not paying a supplementary pension to our senior citizens. I will admit the problem may be difficult, and there are reasons why this should not be paid, but, nevertheless, I do not think there are any reasons which are strong enough to overcome the need of our old age pensioners. The cost of living index increased last month by 2.6 points. I venture the prediction that by the time the cost of living index for February is published, we will find it is going to be increased by at least another two points. It is going to increase again in March and it will continue to increase for many months. Every time the cost of living index increases, the plight of our old age pensioners becomes more extreme and more difficult. I say to the Hon. Minister (Mr. Goodfellow) there is no reason why this rich province of Ontario should not pay its old people at least $10.00 a month in the form of a

supplementary pension. I hope to see the day when we will have governments concerned with human welfare and not the sordid material aspects of a financial statement or concern for a few dollars in some person's bank account. I want to say I hope that this government will reconsider the matter and in view of the rising cost of living and the dire need of these people, pay at least another $10.00 a month.

MR. SALSBERG: Mr. Chairman, I see it is exactly eleven. I want to say quite a bit on this vote. I will be guided by you, if you prefer to adjourn now.

MR. GOODFELLOW: I might say, Mr. Chairman I think it will be necessary to dispose of this vote because I am sure the last thing the Hon. member for St. Andrew (Mr. Salsberg) would want to do is hold up some 93,000 pension cheques which have to go into the mail to-morrow providing this vote is passed.

MR. MC EWING: Carry on.

MR. SALSBERG: I will continue to speak as long as I think necessary on discretions. Do not say later I did not warn you. If we proceed, we proceed. Insofar as the Hon. Minister (Mr. Goodfellow) is concerned, I want to assure him that worse things could happen than to hold up the cheques for a few hours. I think the government is holding up the minimum which is required for pensioners on relief to live on and to maintain health for a long, long time.

(Take JJ follows.)

So I am not going to be stampeded, nor am I going to be scared by insinuations that if I speak too long, I may be holding up the cheques.

MR. GOODFELLOW: I would not want to leave the impression that I was trying to interfere in any way with the hon. member (Mr. Salsberg). He can speak at such lengths as he wishes, but we have to carry on with these estimates, no matter how long it takes, in order to get the cheques out to-morrow morning.

MR. SALSBERG: Now, Mr. Chairman, much has been said by a number of hon. members about the Hon. Minister (Mr. Goodfellow) and his staff. I feel the same way as all other hon. members who spoke about that. I think the Hon. Minister (Mr. Goodfellow), himself, with minor exceptions, which you would expect from a Conservative Minister, would like to see the best possible service given to those who need the service. I think that the Deputy Minister, who is recognized throughout the country as one of the top men in his field, would feel the same way. He occupies a top position amongst the social service people of this country. He is known as one of the leading persons in that field, and he cannot but desire the most liberal policy to be followed. Mr. Ashbury, the Chairman of the Old Age Pension Board, is a gentleman who is very eager to please; that is true. That is also true of Mr. Band, the Chairman of the Mothers' Allowance Commission, and is as true of all the workers in the department; certainly they would like to see the maximum being done. What we are concerned with now is

not a problem of good people or bad people, recognizing, as everybody readily does, that the hon. Minister (Mr. Goodfellow) and his staff, from the top down, are people against whom there is no cause for personal battle -- we are concerned with the problem of Government policy, and the Government policy on old age pensions, the item that is before us now, is a rotten policy; it is a policy which must be fought in the interests of the old age pensioners. When I say this, I am fully aware of the responsibility of Ottawa for some of the bad features we have to contend with -- the administering of old age pensions. I say this because I think it should be recognized. I said something like this earlier in the Session, and I want to repeat it now that the responsibility for the means test rests with Ottawa. This group of the Liberal party can do a great service by moving a motion in this House to petition Ottawa to do away with the means test, and not wait until some agreement will some day be reached. I think they could do a great service to the province and the old people of this province, by taking this initiative. I think it is Ottawa which is responible for the miserable move to which the hon. member for St. David (Mr. Dennison) referred, to deprive the pensioners of the little they were getting by some hypothetical argument that they have concocted.

Having said that, however, I think it is necessary to puncture a few balloons which are afloat

that everything is "hynky-dory" in Ontario. It is not. It would be wrong to let the impression go abroad that this province is tops amongst the provinces in its treatment of old age pensioners. It is not. It may be of interest to this House, and certainly should be on the record, that of the old age pensioners of this country who are destitute when they receive their pensions, Ontario can boast the highest percentage of destitute pensioners amongst all the provinces, with the exception of Newfoundland. Newfoundland has a percentage of pensioners who are destitute, amounting to 92%. Ontario comes next, with 81%. It will also interest the hon. members, I know, to learn that Quebec is in a better position than Ontario. The number of pensioners who are destitute there is only 79%, and the percentage goes down to 34% in Nova Scotia, and the chart from which I took these facts, are contained in the federal government report of a hearing before the joint committee of the Senate and the House of Commons on Old Age Security, and was presented by the Canadian Congress of Labour, when they appeared before this joint committee, and the chart has a footnote which reads as follows:

> "The lower percentages in the Maritimes are due not to enlarged incomes of the aged, but rather to the harsher application of the means test by provincial authorities."

I want the hon. members to remember those words, the fact that Nova Scotia has only 34% destitute among its

pensioners, and Ontario 81%, is not due to higher incomes from other sources in Nova Scotia but is due to the harsher application --

MR. FROST: Would the hon. member (Mr. Salsberg) explain what is meant by"destitute"? That is a new expression to me.

MR. GOODFELLOW: I would be prepared to put our administration of the federal old age pensions up against any province as far as leniency is concerned. I think it would compare favourably, if not more lenient, than the administration of any other province in the Dominion of Canada.

MR. FROST: What does "destitute" mean? Please explain that expression.

MR. SALSBERG: I will answer that. I am quoting from an official government publication. This is a copy of the minutes of proceedings and evidence before the joint committee of the Senate and the House of Commons, and I am presenting to the House the figures contained in the chart presented by the Canadian Congress of Labour, a chart which was not questioned by the representatives of the federal department, who were present at the hearing.

Now, the hon. Premier (Mr. Frost) says, "What is 'destitute'?". "Destitute", I would say, means people who have absolutely nothing except what they receive from the Old Age Pension Board. That is "destitute"; no income, no position, no property, no legacies -- nothing.

MR. McEWING: What percentage of those have that?

MR. FROST: Mr. Chairman, let me point out to the hon. member (Mr. Salsberg) how misleading what he says is. According to the figures he has given on his own definition, there are 80% of our pensioners, who, before they receive a pension, have nothing. That is what he says. Assuming that to be true, then the provincial and federal governments pay to that man and his wife up to $80.00 for the few of them; therefore they are no longer "destitute", the minute they receive the pension.

The hon. member (Mr. Salsberg) quotes some figures, and he endeavours to make it appear that these pensioners, when they get the pensions, are destitute. Actually it does not mean that at all; it means that if it were not for the pension, they would not have anything.

MR. SALSBERG: That interpretation is certainly far, far-fetched. It is dragged in by a hundred yard rope, but I assure the Hon. Prime Minister (Mr. Frost) that will not explain away the fact. "Destitute" means not before they receive the pension, it means both bimes.

MR. FROST: Oh, no, it does not.

MR. SALSBERG: If the Hon. Premier (Mr. Frost) will suggest that when a pensioner receives forty dollars he is no longer destitute, he is saying something which will cause everybody to laugh. A person who is destitute when he is given a pension, when he is in that state, when he has no position, no income, and no earnings of any sort, remains destitute with the

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forty dollars a month, because he remains in a state that does not enable him to live decently and to take care of his physical requirements.

Mr. Chairman, what I have presented are from the official government records, and figures gathered and presented by a very responsible labour body.

But that is not all. There is another part of that document which I think should also be brought to the attention of the House. This chart shows what the government deducts from a pensioner who is living with a relative, or a child, who is receiving a pension. It is to be found on page 645 of this official record of the proceedings, and it shows another very interesting comparison between this province and others.

It shows the following: a pensioner with no assets or income, living with his son, and receiving free board and lodging, would get an annual pension of the following: $475. per year, if he lives in Manitoba; $420. a year if he lives in British Columbia, Alberta or Saskatchewan; $390. a year if he lives in New Brunswick or Nova Scotia; $360. a year if he lives in Newfoundland and $300. a year if he lives in Ontario or Prince Edward Island.

MR. GOODFELLOW: That is with free board and lodging?

MR. SALSBERG: Yes. The only lower figure is in Quebec.

MR. GOODFELLOW: Do you think he requires more than that?

MR. SALSBERG: In this instance, the Province of Ontario is not at the top, but second from the last.

MR. GOODFELLOW: Yes, Mr. Chairman, and he was getting free board and lodging. Here is a man who is living with his son and getting free board and lodging, complaining about his thirty dollars a month.

(Take KK follows)

Because he does not have sufficient to buy as many clothes as he wants, because he contributes to the church by monthly envelopes, $13; he is a former policeman and he contributes to the Police Association $3. a month; he belongs to the 100F, and that takes $2. So he wants his pension raised because he cannot get enough for clothing because of the contributions he has to make, but he still gets free board and lodgings.

MR. SALSBERG: Well, Mr. Chairman, there undoubtedly can be found instances where pensioners will find certain demands essential in their own eyes and to their own satisfaction, but which can be questioned by others. The fact, however, of this chart is this, that Ontario and Prince Edwards Island -- the richest and one of the poorest provinces -- occupied the second very last positions in the amount they allow a pensioner after he has received free lodging and board. That is a fact. That cannot be questioned. Now, I drew the attention of the House to these two charts to show that Ontario, despite the fact that it has a Minister, a Deputy-Minister and senior officials as well as other officials who are sympathetic, nevertheless cannot claim to be in the vanguard of caring for the aged.in this country. This does not include the fact that other provinces are giving a supplementary allowance while this province does not.

Now then we have been told before and we are told tonight that this government is negotiating with Ottawa, that this government does not want to put itself into a p osition that would weaken its bargaining powers with Ottawa by granting the supplement now. The theory evidently

is that if pensioners continue to starve, Ottawa will be obliged to move faster. Now to me it looks as if the two governments are "jockeying" and "passing the buck" while pensioners are litterally starving.

MR. W.H. TEMPLE (High Park) Hear, hear.

MR. SALSBERG: Litterally starving. It is not true of all pensioners, but there are pensioners who have no one to fall back on, who live in larger centres, as for instance in Toronto, who cannot but starve unless they beg, if they are limited to $40 a month and no more. And I cannot justify that sort of outlook.

The House as you know adjourned for Easter recess and everybody went home, and everybody enjoyed, I am sure, the Easter holiday. The Hon. Minister of Agriculture (Mr. Kennedy), who unfortunately is not here tonight, spoke very feelingly today about the great interest shown by a late hon. member of the Federal house in church affairs. I want to say to this government that morally no hon. member of this government, from the Hon. Prime Minister (Mr. Frost) down could have entered a church or a gathering during the Easter recess with a clear conscience -- could not, could not. I say that it is hypocritical, yes, to go around and utter a lot of pious words when you know that thousands of old people were unable during the Easter holidays to get themselves three square meals, and that it was within the power of the government to give it to them, at least to the extent that the supplementary allowance would have enabled them to buy it. You did not do it, you did not do it, though you could have done it.

Now, some hon. members of the government may sit and smile, and think: "Well, he will shoot his mouth off,

just let him talk."

Hon. CHARLES DALEY (Minister of Labor): That is exactly right.

MR. SALSBERG: "But we will get the vote over and go to the next item."

MR. DALEY: Who is talking about being a hypocrite?

MR. SALSBERG: And I say to the hon. Minister of Labor (Mr. Daley) who is mumbling there, as he always does --

MR. DALEY: I said whose talking about being a hypocrite? If ever there was one, it is you.

MR. SALSBERG: I said it was hypocritical on the part of the hon. Minister (Mr. Daley) or any hon. Minister to go back to his constituency at Easter and walk down the street with his self-satisfied feeling and with a smirk on his face when there were old people in his town who were not able to buy enough food to enjoy Easter, and he as well as all other hon. members of the Cabinet denied them that food because they denied them the $10 supplementary. I say that it is indefensible to argue that you will wait until the government in Ottawa will move. And I am very frank, Mr. Chairman, in saying that the only purpose of my talking at this time -- I know it is late, and I have no desire to hold up the proceedings of this House.

SOME hon. MEMBERS: No?

MR. SALSBERG: No desire whatsoever. The only reason I speak is because I hope that continuous talk, continuous pressure, yes, and embarrassment that it may bring to the government, may result in some action which we would otherwise not get. There are things in this House that we can

react to formally; they are all important items that come before us but there are certain things that you feel, well, all you can do is speak for the record and have it straight. This is not one of those items, and I want to say to the government that if I thought I could advance the interests of the old aged --

MR. DALEY: Don't get mixed up.

MR. SALSBERG: -- and bring the supplementary one week closer to them, I would continue to talk all night if I thought that would help. I do not know if it would. If it would, I would continue to just hit at the government, embarrass the government, hurt the government -- I don't mean to hurt personally --

AN hon. MEMBER: Oh, no.

MR. SALSBERG: Personally, because I know that individually every hon. member sitting in the front there does not like to hear the things that they are hearing now. They would rather sit there and get bouquets, they would rather be told that they are doing a fine job, and there are things for which you are getting recognition. But if as individuals you do not like to hear these words, then for goodness sake, as a group, begin to act. And unpleasant as it may be, and undesirable as it may be, all this leads to the hon. Prime Minister (Mr. Frost). It has to. During the discussion here this evening, everybody assumed that the hon. Minister of Welfare (Mr. Goodfellow) is anxious to bring about the changes, but that after all he is only one man and every hon. member went out of his way to emphasize that. If that is so, and I think that is generally so, then we must turn to the hon. Premier (Mr. Frost) who is the head of government and who

individually would not like to see the things I mentioned take place. He would not like to see it with his own eyes, but there is no doubt that it is taking place, Mr. Premier (Mr. Frost), no doubt whatsoever, that there were people during this last week-end in the city of Toronto who were not able to have three full meals.

MR. FROST: May I say to my hon. friend (Mr. Salsberg) that I know there are some old-age pensioners who are having difficulties, but I can tell my hon. friend (Mr. Salsberg) that for one old-age pensioner having difficulties there are fifty old citizens of this country -- clergymen, railroaders and others -- who today are having infinitely more difficulties because their pensions are not sufficient and because with a means test we cannot give them old-age pensions. Now, that is the facts. What would you do under those circumstances? Would you complicate this system at the present time by making additions to the present outworn system of means test, or would you play for the big game, trying to get old-age pensions for all our people without a means test?

I may say to my hon. friend (Mr. Salsberg) that we are playing the big game to get old-age pensions for everybody. I read in a paper the other day a letter from an old clergyman who had served his day and generation well who stated in the letter to the paper that he was not to buy meat for his table. He is getting a pension, I suppose, of $400 or $500 from his church after a lifetime of work. I am looking forward to giving that man and his wife an old-age pension of $40 a month apiece.

Now what would you do, would you play for the big

game to help the great run of our people, or would you complicate this situation by getting into some addition to the present old-age pensions which would create unbelievable complications if we get into a universal system?

I would say to my hon. friend (Mr. Salsberg) I know there are difficulties, but our position is this, we are going to do the best we can to help the most of our people. Now that is our policy and that is the policy we are going to follow. I disagree entirely with what my hon. friend (Mr. Salsberg) has said. I am saying we are not unmindful of the plight of some of our citizens, but I say that the soundest thing that this Legislature can do right now is to stick to our knitting, stick to the policy that we are following. We are making progress and I do not see how the Federal Government -- I do not think the Federal Government wants to postpone the payment of pensions to these old people. For one old-age pensioner at the present time with difficulties -- and I know there are some -- there are hundreds of our fine citizens of this country, school teachers and others who havee saved up for pensions that are now entirely inadequate. I want, and I think the hon. members of this Legislature, want to help them. Now that is our policy and, Mr. Chairman, we are going to stick to that till we get pensions for our people in this province without a means test.

SOME hon. MEMBERS: Hear, hear.

(TAKE "LL" FOLLOWS)

MR. SALSBERG: The hon. Prime Minister (Mr.Frost) asked what I would do. The question is whether I agree with what he is doing. My answer is that I would redouble, if I were Prime Minister, the efforts which are now being made to quickly eliminate the means test, to extend the pensions to all the categories he has mentioned, which I agree need pension very, very badly, such as railroaders, teachers, ministers, etc., but I would not do that at the expense of those people whom we can help in the meantime.

MR. FROST: Does the hon. member for St.Andrew (Mr. Salsberg) not see the great difficulty of getting into that at the present time? Here is the situation. Ir we are successful in bringing about this move with the federal government, and I certainly hope that will come about within the next short time, we are then faced with a universal old age pension in Ontario. If you get into a supplementary system with that, it means that the province has to set up a particular kind of machinery to meet that situation because there is no means test; there is nothing to go on. We have discussed that, the hon. Minister of Welfare (Mr.Goodfellow), and ourselves, on many occasions. What will have to be done if that system could ne brought about, would be a form of public assistance quite separate from the old age pensions. You could not mentioned old age pensions with that system. It would have to be quite separate. A6 the present time you cannot do it without getting

into difficulty from an administrative standpoint. We just came through a Federal-Provincial Conference last December. We discussed that with the far western provinces which have supplementary laws now. It is creating a matter of gravest embarrassment to them at the present time when they are contemplating entering into a universal system. I would say that you cannot do everything overnight. If we have to take the step of providing with the Federal Government and ourselves in Canada something in the order of a billion dollars to take care of the situation of tens of thousands of our citizens, do not let us complicate things and spoil the picture at the present time. Let us stick to our knitting and make that big advance and later on when the circumstances are proper and we have the universal pension, if a form of public assistance payable by the provinces can be devised, then we can do that. I can assure you, of course, that never again would I enter into a system of supplementary old age pensions and calling it an old age pension. It is a form of public assistance to those who are in need, additional assistance. That is something entirely separate from the old age pensions system. There is nothing but tears and distress to try to do it in the way we were doing it before. Never again would I want to get back into the recriminations and misunderstandings which arose from that. The next time it will be another form of assistance. I would say that never again would it be satisfactory in my opinion to take the course that we took starting with

1943 by the previous government and followed by ourselves. It was well-intentioned, we meant well, the Nixon government and the governments which followed meant well by doing it, but I say that we turned back the clock many months and many years by getting into that misunderstanding. With our experience, we will not do that again.

MR. GOODFELLOW: According to reports which we received from British Columbia, they are considering very seriously getting out of their supplementary allowance. They are considering the idea of carrying along until the pensioner is deceased because of the complications which are involved.

MR. FROST: Unbelievable complications.

MR. SALSBERG: The hon. Prime Minister (Mr.Frost) has made it abundantly clear that he intends to adhere to the policy he now follows. It is just a difference of approach to the question, I imagine. I cannot justify morally any manoeuvering, any interplay between one government and another at the expense of the old people when we have the money to help them. I just cannot understand it. I, no matter how I try, cannot see eye to eye with the hon. Prime Minister (Mr. Frost) in his argumentation. I will, therefore, conclude by saying that the hon. Prime Minister (Mr. Frost) could perform a great national service. He could, by taking the initiative, give leadership to the whole country in pressing for this reform.

I, for one, of course, think his hand would be stronger if he would give a temporary emergency type of supplement

because of the great need, and utilize this tribune, the second highest in the country, the tribune which is reserved for the hon. Prime Minister (Mr. Frost) of this great province, to thunder at Ottawa after he will have announced an emergency supplementary allowance, and this House, every section of it, would support him. His voice would be heard from one end of the country to the other. It would be supported from one end of the country to the other. He would really emerge in the role of a social reformer who is utilizing his high office and the unanimous support of every section of the House and of the people of this province in bringing such pressure to bear on Ottawa that they would find the pressure irresistible and give in.

That is what I would do if I were the Prime Minister of Ontario. Unfortunately, I am not. Unfortunately the hon. Prime Minister (Mr. Frost) thinks that he is playing for big game and is not going to be diverted into playing for small game. I conclude by telling the hon. Prime Minister (Mr. Frost) that the small game he is referring to are the biggest things for the individuals affected and for those who are close to them and who are unable to help them. That is the biggest game there is. His accomplishments would be far greater and they would occur sooner if he were to take the position I suggest and with clean hands, come to the people of the whole country and lead them forward. It would bring him closer to the Prime Ministership of Canada than anything else could do, than any other big or small

game in which he will engage himself; but, the Hon. Prime Minister (Mr. Frost) is a conservative Prime Minister, even though personally he has certain liberal inclinations. Such is the lot of even a man like our Hon. Prime Minister (Mr. Frost) when he heads an Ottawa Government. I am sorry that has to be so.

Vote 160 and Vote 161 agreed to.

On Vote 162.

MR. W. DENNISON (St. David): Mr. Chairman, on Vote 162, I wonder if the Hon. Minister (Mr. Goodfellow) has a statement to make in regard to the policy of this government now in connection with relief for unemployed people? Just because Ottawa cut off the grant to this province at the beginning of the war for relief given to unemployed people is no reason, in my opinion, why this province should continue that. Just because the Liberal government of 1942 cut that off from the municipalities is no reason why this province and this government should continue it. I say that I want to get this restored. The people affected and the welfare agencies want to get it restored, so that the government of the Province of Ontario will stand behind any municipality which finds itself with unemployable people who are employable in the ordinary course of events. This is an opportunity for this government to prove that a Conservative Government in Ontario with a C.C.F. Opposition is more progressive than a Liberal Government at Ottawa with a Conservative Opposition. There is something by which

to prove it. I think the Hon. Minister (Mr. Goodfellow) under this branch of unemployment relief could change his policy. It will not cost him any more money now because the situation does not arise, but in the days it will arise, you will save certain municipalities from a lot of unnecessary expenditure.

Votes 162 and 163 agreed to.

HON. LESLIE M. FROST (Prime Minister): Mr. Chairman, I move the Committee rise and report progress.

Motion agreed to.

The House resumes, Mr. Speaker in the Chair.

MR. T. L. PATRICK (Middlesex): Mr. Speaker, the Committee begs to report progress, and asks leave to sit again.

HON. LESLIE M. FROST (Prime Minister): Mr. Speaker, in moving the adjournment of the House, I want to announce to the hon. members that there will be no night session to-morrow and we would like to end the sittings to-morrow afternoon at five o'clock. That, I think, indicates there is something doing. What is doing is that there is a function in which the Press is interested. We do not want the Pressmen working until six o'clock because it keeps them late; so that we would like to end the sittings to-morrow afternoon at five o'clock with no night sitting. These things all have their compensations in one way or another, so I would like to ask the hon. members of the House if it would be satisfactory to meet to-morrow afternoon at one-thirty instead of two; and I

know that perhaps rushes the day's work, but nevertheless in view of the fact that it will be a short day and we will have finished by five o'clock, I would like to move, seconded by Mr. Doucett that when the House adjourns this evening it stands adjourned until one-thirty to-morrow afternoon and that the Rules of the House be suspended so far as they refer to this motion.

(Take MM follows.)

MR. FROST: Mr. Speaker, tomorrow afternoon I would like to go ahead with some routine matters on the Order Paper, and then proceed with the Fair Employment Practice Bill and following that, consider the estimates of the Department of Planning and Development. The Order Paper is pretty well cleared up. I do not think there will be a great deal beyond the Fair Employment Practice Bill, which would provoke very much comment, and I hope we can get on with the Planning and Development estimates tomorrow afternoon.

MR. McEWING: Would the hon. Prime Minister (Mr. Frost) indicate when some of these private bills which are on the Order Paper -- such as Bill No. 39 --- will be called? This Bill was on the Order Paper early in the Session.

MR. FROST: I do not think it will be possible to call all of these Public Bills and Orders, but I would like to call, amongst these Public Bills, the ones relating to highways. There are, I think, three or four Bills relating to highways which we might deal with, if we can work them in. I will try to do that within the next day or two.

MR. OLIVER: It will not be tomorrow?

MR. FROST: No, I do not think we could do it tomorrow. Perhaps on Thursday we might be able to work them in.

Motion agreed to.

Hon. LESLIE M. FROST (Prime Minister). Mr. Speaker, I move the adjournment of the House.

Motion agreed to.

The House adjourned at 11.48 o'clock p.m.

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